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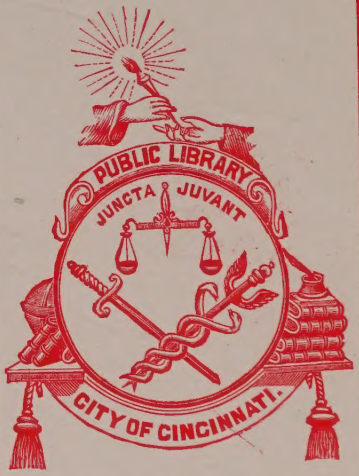

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EXPLANATORY NOTE

Advocates of World Peace have proposed two means for its achievement. One is International Arbitration, the other, Disarmament. Debaters, it is found, have, in most cases, chosen to consider these two means to the same end separately, debating either a question such as: Resolved that an international court of arbitration should be established; or, Resolved that the time is now ripe for the disarmament of nations. In practice, it is probable that the two would work out together. Nations would not agree to disarm until some satisfactory arrangement had been made for the arbitration of difficulties, while on the other hand, the general practice of resorting to arbitration would make the continued maintenance of armaments unnecessary. It was decided, therefore, that this handbook should cover the whole subject of world peace, making the question one of the substitution of law for force, with arbitration and disarmament considered as joint means to that end. Debaters may still prefer to divide the question; in which case they will find in this volume material bearing on either phase that they may choose.

The work was begun with the thought that the question would turn on the *possibility* of bringing about world peace. It was learned with some surprise that a strong case is still made out by militarists against its *desirability*. War is still extolled as a nursery for the manly virtues, and the scope of this book has accordingly been broadened to cover the affirmative and negative sides to this contention.

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BRIEF

Resolved that in the settlement of international disputes, law can and should be substituted for armed force.

Introduction

It is proposed that law should be substituted for force in the settlement of international disputes.

I. Two questions arise:
   A. Would the state of peace resulting from this substitution be desirable?
   B. Is such a substitution universally possible?

II. An examination becomes necessary of the two proposed means:
   A. International arbitration.
   B. General disarmament.

Affirmative

I. Universal peace is desirable.
   A. War is immoral and wasteful.
   B. Questions of right cannot be settled by war.
   C. Peace promotes economic and racial welfare.

II. Universal peace is possible.
   A. The world has progressed beyond the need of war.
      1. Nations now have many common interests.
      2. War is no longer profitable.
      3. The substitution of law for force is a step in the way of civilization.
   B. Two practicable means of bringing about universal peace are available:

1. Arbitration,
   a. which has already been put into practice.
      (1) by means of treaties between nations.
      (2) by the Permanent Court of Arbitration at the Hague.
   b. the field of which can be made universal, by
      (1) the establishment of an international court.
      (2) the gradual codification of international law.
2. Disarmament, which
   a. would require only an agreement between nations.
   b. would relieve the nations of the burden of militarism.
   c. would remove the constant temptation to make war which is now present in a standing army.

NEGATIVE

I. Universal peace is not desirable.
   A. War stimulates the manly virtues.
   B. A state of continued peace is enervating to a nation.
   C. Great reforms have been promoted by war.
II. Universal peace is not possible.
   A. The world has not yet progressed beyond the need of war.
      1. The fighting instinct is inherent in human nature.
      2. Crises arise when war is inevitable.
   B. The two means proposed for the establishment of peace are not practicable:
      1. Arbitration, because
         a. force is necessary behind law.
         b. unprejudiced arbiters could not be found.
         c. certain questions of vital interest and national honor are not arbitrable.

d. there is no adequate code of international law.
e. arbitration at best can only effect a compromise.

2. Disarmament, because
   a. a standing army is necessary
      (1) to protect commercial interests.
      (2) to insure peace.
   b. the necessary agreement between nations could not be effected.
      (1) Each nation would fear to take the first step.
      (2) There would be no assurance that the agreement would be kept.

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AFFIRMATIVE DISCUSSION

War: An Inquiry into its Causes, etc.

Jonathan Dymond.

"But War," says Erasmus, "does more harm to the morals of men than even to their property and persons." If, indeed, it depraves our morals more than it injures our persons and deducts from our property, how enormous must its mischiefs be!

I do not know whether the greater sum of moral evil resulting from war is suffered by those who are immediately engaged in it, or by the public. The mischief is most extensive upon the community, but upon the profession it is most intense. No one pretends to applaud the morals of an army, and as for its religion, few think of it at all. The fact is too notorious to be insisted upon, that thousands who had filled their stations in life with propriety, and been virtuous from principle, have lost by a military life, both the practice and the regard of morality.

Does any man ask, What occasions depravity in military life? I answer in the words of Robert Hall, "War reverses, with respect to its objects, all the rules of morality. It is nothing less than a temporary repeal of all the principles of virtue. It is a system out of which almost all the virtues are excluded, and in which nearly all the vices are incorporated." And it requires no sagacity to discover that those who are engaged in a practice which reverses all the rules of morality, which repeals all the principles of virtue, and in which nearly all the vices are incorporated, cannot, without the intervention of a miracle, retain their minds and morals undepraved.

Look, for illustration, to the familiarity with the plunder of property and the slaughter of mankind which war induces. He who plunders the citizen of another nation without remorse or reflection, and bears away the spoil with triumph, will inevitably lose something of his principles of probity. He who is familiar with slaughter, who has himself often perpetrated it, and who exults in the perpetration, will not regain undepraved the principles of virtue. His moral feelings are blunted; his moral vision is obscured; his principles are shaken; an inroad is made upon their integrity, and it is an inroad that makes after inroads more easy.

The economy of war requires of every soldier an implicit submission to his superior; and this submission is required of every gradation of rank to that above it. This system may be necessary to hostile operations, but I think it is unquestionably adverse to intellectual and moral excellence. The very nature of unconditional obedience implies the relinquishment of the use of the reasoning powers. Little more is required of the soldier than that he be obedient and brave. His obedience is that of an animal which is moved by a goad or a bit without judgment of its own; and his bravery is that of a mastiff that fights whatever mastiff others put before it. It is obvious that in such agency the intellect and the understanding have little part. Now I think that this is important. He who, with whatever motive resigns the direction of his conduct implicitly to another, surely cannot retain that erectness and independence of mind, that manly consciousness of mental freedom, which is one of the highest privileges of our nature. A British captain declares that "the tendency of strict discipline, such as prevails on board ships of war, where almost every act of a man's life is regulated by the orders of his superiors, is to weaken the faculty of independent thought."

But the intellectual effects of military subjection form but a small portion of its evils. The great mischief is, that it requires the relinquishment of our moral agency; that it requires us to do what is opposed to our consciences, and

what we know to be wrong. A soldier must obey, how criminal soever the command, and how criminal soever he knows it to be. It is certain that, of those who compose armies many commit actions which they believe to be wicked, and which they would not commit but for the obligations of military life. Although a soldier determinately believes that a war is unjust, although he is convinced that his particular part of the service is atrociously criminal, still he must proceed,—he must prosecute the purposes of injustice or robbery, he must participate in the guilt, and be himself a robber.

Such a resignation of our moral agency is not contended for, or tolerated, in any other circumstance of human life. War stands alone upon this pinnacle of depravity. She only, in the supremacy of crime, has told us that she has abolished even the obligation to be virtuous.

Yet I do not know whether the greatest moral evil of war is to be sought in its effects on the military character. Upon the community its effects are indeed less apparent, because they who are the secondary subjects of the immoral influence, are less intensely affected by it than the immediate agents of its diffusion. But whatever is deficient in the degree of evil, is probably more than compensated by its extent. The influence is like that of a continual and noxious vapour: we neither regard nor perceive it, but it secretly undermines the moral health.

Every one knows that vice is contagious. The depravity of one man has always a tendency to deprave his neighbors; and it therefore requires no unusual acuteness to discover that the prodigious mass of immorality and crime which is accumulated by a war, must have a powerful effect in demoralizing the public. But there is one circumstance connected with the injurious influence of war, which makes it peculiarly operative and malignant. It is, that we do not hate or fear the influence, and do not fortify ourselves against it. Other vicious influences insinuate themselves into our minds by stealth; but this we receive with open embrace.

Glory and patriotism, and bravery, and conquest, are bright and glittering things. Who, when he is looking delighted upon these things, is armed against the mischiefs which they may veil?

The evil is in its own nature of almost universal operation. During a war, a whole people becomes familiarized with the utmost excesses of enormity—with the utmost intensity of human wickedness,—and they rejoice and exult in them so that there is probably not one man in a hundred who does not lose something of his Christian principles during a period of war.

Century. 53: 468-70. January, 1899.

Absurdity of War. E. L. Godkin.

Civilization has done a very curious thing. It has raised the business of killing enemies and destroying their property into a very honorable profession. Indeed, it has raised it in honor far above the other professions. The soldier who settles quarrels by stabbing, cutting, and rending stands higher in popular estimation than the judge and advocate who sit to decide quarrels peacably, by reason, on the human method. The animal method has the ascendancy. With the general public this is due largely to leaving what the soldier *does* out of sight, and considering simply to what he exposes himself. He is not looked on at all as a man who kills and wounds enemies and destroys property; who makes widows and orphans by the thousand; who tramples down crops, and burns villages, and brings ruin into thousands of lives: but as a man who exposes his life for others. In the popular imagination he does not kill for his country: he is killed for his country. The active part of his business is seldom present to the mind; the passive or suffering part is what is mainly present. It is chiefly through this impression, also, that war is elevated into an improver of character, or moral elevator of the whole community. This view could hardly be maintained if war were constantly thought of as a collection

of men cutting, stabbing, mutilating, and burning houses. Its success is due to the habit of fixing the imagination on soldiers as in some sense martyrs, as men who for the sake of the community sacrifice their own lives. The theory has no foundation on observed facts. Wars have raged since the dawn of civilization, but there is no record of their having improved any nation's character, of having made men more sober, or religious, or humane, or law-abiding. All that we know of the effect of war represents it as demoralizing to the many, though probably in a few cases having chastened or purified a few surviving relatives.

But the most serious charge which can be made against war is that either it does not decide things, or that it is waged over things which might be decided without it, although it is enormously costly. Take as examples the wars of this century between civilized nations. I will admit that those between civilized and barbarous nations have been just and necessary. The wars of Napoleon lasted twenty years; cost, it is estimated, the lives of three millions of men; suspended the march of civilization all over Europe; and caused enormous destruction of property. Very few of those engaged in them had any idea what they were about. They ended in leaving France exactly as they found her—much impoverished in money and population, and with the same, or nearly the same, frontiers as when they began. The next war was the attempt of France to keep a certain family on the throne of Spain. It failed: the family lost the throne. The next was the Belgian revolution. It settled what ought to have been settled without it. The next was the Crimean war. Within twenty years everything it accomplished had disappeared and the general opinion of Europe was that it should never have been undertaken. It cost two hundred thousand lives and about one billion dollars. The next was the war for the liberation of Italy. It succeeded, but ought not to have been necessary. The next was the war of the rebellion, costing about five billion dollars, and two hundred thousand lives, and enormous destruction of property. It

was of no use to those who began it. The next were the Prusso-Austrian and the Franco-German war. Both accomplished their purpose, and were enormously destructive.

Now, what is noticeable in all these is that they were about matters capable of the submission of proofs, and arguments by counsel, and judicial decisions; and that in every case, excepting the seizure of Alsace and Lorraine, wise and impartial judges would have decided the matter exactly either as the war decided it, or as the war was meant to decide it, but did not. Nearly everything in the dispute was plain, except which of the disputants had most power of destruction; in other words, the war was totally unnecessary. On human plans of expediency and persuasion, France would never have been invaded after the Revolution, Napoleon would never have fought; Holland would have let Belgium go; France would never have invaded Spain; England would never have fought Russia; Austria would have surrendered Italy, and would have concluded an arrangement with Prussia; the South would have yielded to the North for compensated emancipation; and the French would never have called the German king to account about the throne of Spain. What I mean is, that in every one of these cases an impartial tribunal would have decided the matter either in the way the war decided it, or in the way hindsight decided it. About five million men who were killed or maimed would have continued to labor and enrich their countries, and the nations of Europe would have been saved a debt which I do not put into figures because they would be so large that they would convey nothing to the reader's mind. In every case the difficulty was one which could have been settled by the human art of persuasion; by people simply saying before the war what they said after it; or, in other words, by acting like men, not like animals. If cats fought in armies, the only question they would settle which could not be settled in any other way would be, which set could do most biting and scratching. Any other question between them—such as, which was entitled to most food, which made most noise at

night, which was the best climber of backyard fences, which had the best fur—could be settled judicially by testimony and argument.

The enormous growth of armies in Europe, and the recent unhealthy outburst of jingoism among us, may seem to contradict what I say as to the growth of a more peaceful spirit among the nations—that is, as to the growth of civilization. But it must be observed that in no case is the tremendous enlargement of the standing armies ascribed to love of war or aggression. On the contrary, every nation says it is arming in the interest of peace, and that it loathes war; that it is some other nation's evil designs which render the increase in armament necessary. This is of itself a distinct advance. In the last century the increase in the army would have been boldly ascribed to a desire to conquer or humiliate somebody.

Popular Science Monthly. 28: 398-424. January, 1911.

War and Manhood. David Starr Jordan.

The last thirty years have seen the period of greatest activity in the study of biology. Among other matters, we have seen the rise of definite knowledge of the process of heredity, and its application to the formation and improvement of races of men and animals. From our scientific knowledge, men have developed the fine art of selective breeding. With men, as with animals, "Like the seed is the harvest." In every vicissitude of race of men or of breed of animals, it is always those who are left who determine what the future shall be.

Always and ever, says Novicow, "war brings about the reversal of selection." These traits of character, physical strength, agility, courage, dash, patriotism, desired in the soldier, are lost in the race which decrees the destruction of the soldierly. The delusion that war in one generation sharpens the edge of warriorhood in the next generation, has no

biological foundation. The man who is left determines always the future.

Those who fall in war are the young men of the nations, the men between the ages of eighteen and thirty-five, without blemish so far as may be—the men of courage, alertness, dash and recklessness, the men who value their lives as nought in the service of the nation. The man who is left is for better and for worse the reverse of all this, and it is he who determines what the future of the nation shall be.

However noble, encouraging, inspiring, the history of modern Europe may be, it is not the history we should have the right to expect from the development of its racial elements. It is not the history that would have been made by these same elements released from the shadow of the reversed selection of fratricidal war. And the angle of divergence between what might have been and what has been, will be determined by the percentage of strong men slain on the field of glory.

And all this applies, not to one nation nor to one group of nations alone, but in like degree to all nations, which have sent forth their young men to the field of slaughter. As with Greece and Rome, as with France and Spain, as with Mauritania and Turkestan, so with Germany and England, so with all nations who have sent forth "the best they breed" to the foreign service, while cautious, thrifty mediocrity filled up the ranks at home.

In his charming studies of "Feudal and Modern Japan," Mr. Arthur Knapp, of Yokohama, returns again and again to the great marvel of Japan's military prowess after more than two hundred years of peace. This was shown in the Chinese war. It has been more conclusively shown on the fields of Manchuria since Mr. Knapp's book was written. It is astonishing to him that, after more than six generations in which physical courage has not been demanded, these virile virtues should be found unimpaired. We can readily see that this is just what we should expect. In times of peace there is no slaughter of the strong, no sacrifice of the courageous. In the peaceful struggle for existence there is a premium placed

on these virtues. The virile and the brave survive. The idle, weak and dissipated go to the wall. "What won the battles on the Yalu, in Korea or Manchuria," says the Japanese, Nitobe, "was the ghosts of our fathers guiding our hands and beating in our hearts They are not dead, these ghosts, those spirits of our warlike ancestors. Scratch a Japanese, even one of the most advanced ideas, and you will find a Samurai." If we translate this from the language of Shintoism to that of science we find it a testimony to the strength of race-heredity, the survival of the ways of the strong in the lives of the self-reliant.

If after two hundred years of incessant battle Japan still remained virile and warlike, that would indeed be the marvel. But that marvel no nation has ever seen. It is doubtless true that warlike traditions are most persistent with nations most frequently engaged in war. But the traditions of war and the physical strength to gain victories are very different things. Other things being equal, the nation which has known least of war is the one most likely to develop the "strong battalions" with whom victory must rest.

As Americans we are more deeply interested in the fate of our mother country than in that of the other nations of Europe.

What mark has been left on England by her great struggles for freedom and by the thousand petty struggles to impose on the world the semblance of order called "Pax Britannica," the British peace?

To one who travels widely through the counties of England some part of the cost is plain.

> There's a widow in sleepy Chester
> Who mourns for her only son;
> There's a grave by the Pabeng river—
> A grave which the Burmans shun.

This is a condition repeated in every village of England, and its history is recorded on the walls of every parish church. Everywhere can be seen tablets in memory of young men—'gentlemen's sons from Eton and Rugby and Winchester and

Harrow, scholars from Oxford and Cambridge, who have given up their lives in some far-off petty war. Their bodies rest in Zululand, in Cambodia, in the Gold Coast, in the Transvaal. In England only they are remembered. In the parish churches these records are numbered by the score. In the cathedrals they are recorded by the thousand. Go from one cathedral town to another—Canterbury, Winchester, Chichester, Exeter, Salisbury, Wells, Ely, York, Lincoln, Durham, Litchfield, Chester (what a wonderful series of pictures this list of names calls up!), and you will find always the same story, the same sad array of memorials to young men. What would be the effect on England if all of these "unreturning brave" and all that should have been their descendants could be numbered among her sons to-day? Doubtless not all of these were young men of character. Doubtless not all are worthy even of the scant glory of a memorial tablet. But most of them were worthy. Most of them were brave and true, and most of them looked out on life with "frank blue Briton eyes."

This too we may admit, that war is not the only destructive agency in modern society, and that in the struggle for existence the England of to-day has had many advantages which must hide or neutralize the waste of war.

It suggests the inevitable end of all empire, of all dominion of man over man by force of arms. More than all who fall in battle or are wasted in the camps, the nation misses the "fair women and brave men" who should have been the descendants of the strong and the manly. If we may personify the spirit of the nation, it grieves most not over its "unreturning brave," but over those who might have been but never were, and who, so long as history lasts, can never be.

It is claimed that by the law of probabilities as developed by Quetelet, there will appear in each generation the same number of potential poets, artists, investigators, patriots, athletes and superior men of each degree. But this law has no real validity. Its pertinence involves the theory of continuity of paternity, that in each generation a percentage

practically equal of men of superior force or superior mentality should survive to take the responsibilites of parenthood. Otherwise Quetelet's law becomes subject to the operation of another law, the operation of reversed selection, or the biological "law of diminishing returns." In other words, breeding from an inferior stock is the sole agency in race degeneration, as selection natural or artificial along one line or another is the sole agency in race progress.

And all laws of probabilities and of averages are subject to a still higher law, the primal law of biology, which no cross-current of life can overrule or modify: Like the seed is the harvest.

And because this is true, arises the final and bitter truth: "Wars are not paid for in war time. The bill comes later!"

Advocate of Peace. 71: 161-6. July, 1909.

Prince of Peace. Charles R. Brown.

And what is it all for? I know the scareheads which sometimes fill the sillier type of a newspaper. I know how frightened some people are when some military expert, as he calls himself, has the nightmare. Men who spend the best years of their lives looking out at the world through the bore of a gun get their vision distorted. They cannot see straight and they become sorry and unreliable leaders, as Europe, staggering under her grievous burden, knows to her sorrow. It was Sir Edward Grey, Foreign Secretary in the present cabinet, who said the other day in the British Parliament, "The vastness of the expenditure on armament is a satire on modern civilization, and if continued it must lead Europe into bankruptcy." The security and prosperity of any nation depends upon its schools and its churches, its useful industries and its happy homes, a thousand times more than upon its army and navy. And the conceit of these militarists who are trying to throw dust in the eyes of the people would be funny if it were not so costly and so perilous to our national well-being.

The men who watch the world from that narrow station "behind the gun" are not competent leaders of public sentiment. The merchant and the mechanic, the wise lawyer and the skilled physician, the farmer and the miner, the trained teacher and the godly preacher, these men engaged in peaceful, useful industry are vastly more competent to see things as they are and to aid in shaping a wholesome public sentiment. International relationships are being formed to-day as never before in the history of the race through community of interest in trade and by those associations which come through literature, the work of education and religious affiliation. And it is for these men and women whose main interest lies in those peaceful, productive vocations to insist upon being heard.

But what are some of the reasons urged for this cruel and costly outlay? "In time of peace prepare for war!" This stupid sentiment is trotted out as if it were a fragment from the wisdom of the ages. History as well as common sense laughs it to scorn. In time of peace prepare for peace! We did just that with England along our northern border, where for four thousand miles only an imaginary line divides us from one of the mightiest nations on earth.

We prepared for peace and we have had peace. The whole history of our country has been in the main a history of peace. Since 1789, one hundred and twenty years ago, only three foreign wars have interrupted our progress, and they lasted all told less than five years. For the other one hundred and fifteen years our swords have been plowshares, our spears have been pruning hooks, the fine steel of our young manhood has been devoted to those useful activities which do not destroy, but feed and save. If we can thus live and grow to be one of the mightiest nations on earth by the policy of peace, why this sudden spasm of military preparation which is now hindering our national development!

But we have become a world power men say, and some of the nations might attack us! Why should they? Never since we became a republic have we been attacked, though

for decades and decades our navy was a negligible quantity. "But suppose Germany should land a hundred thousand men on our Atlantic coast," some man shrieked out recently. Why should she? Sane people deal with probabilities, not with wild and imaginary possibilities. If Germany wanted to attack us, why did she not do it when all our warships were on the other side of the globe? Why did she not do it in those years when we had no navy at all worth mentioning? We buy millions and millions of dollars' worth of goods every year "made in Germany": does Germany wish to fight one of her best customers? If some man who keeps a meat market has a customer who comes in every day and orders chops or a steak for his lunch and a roast of beef or a leg of lamb for his dinner, does the butcher want to beat that customer over the head with a musket or slay him with a cannon ball? You can see the absurdity of it! Is folly any the less folly when you raise it to the *nth* power by making it international?

So much for Germany! As for England, she ruled the sea for all those decades when we had no navy worth considering and she never thought of attacking us. Why should she want to fight the people of her own race and language whose commercial interests are so closely interwoven with her own economic life? France is our traditional and hereditary friend. No other nation on that side of the globe need be taken into our calculation. What a nightmare it is which sets us to building ten million dollar warships for fear one of these nations might attack us!

But there is Japan! At the very hour when ten thousand Japanese boys and girls were singing songs of welcome along the streets to the officers and men of the American fleet, when the whole empire of the Mikado was showing its cordial goodwill to the representatives of our country, an excitable young man, who owes his fame entirely to the fact that he did one brave deed at Santiago was rushing about saying, "War with Japan is inevitable!" And here on our own coast recently a tired, sick, disappointed old man, an admiral in

the navy, said to a bunch of newspaper reporters who wanted something yellow to fill up the front page, "Japan could tear this coast to ribbons in sixty days!" He said that at the very time when the ink on the agreement and good understanding entered into by President Roosevelt and the Mikado was scarcely dry! The thoughtful people of the whole nation smiled and then mourned over his foolish word. Germany, England, France, Japan,—these four are the only nations on the globe that we need take into such a consideration! How absurd to be imposing upon the toiling people the useless burden of expensive armament against these neighbors!

But "we have colonies now and we must defend them —there are the Philippines!" Who wants the Philippines? Nobody! They have been, as all the world knows, an expensive and troublesome burden. We have already spent several hundreds of millions of dollars upon that undertaking, and the end is not yet. We could well afford to pay any nation fifty millions of dollars to take them off our hands. But this is not the way national business is transacted. We found ourselves with the Philippines in our possession, contrary to the wish and judgment of many of us at the time, and now by an expenditure of these hundreds of millions of dollars upon schools and churches, upon better government, public improvements and economic development, we have been trying to do our duty by that backward people. But nobody wants to fight us to get the Philippines. "They can be left out over night," as Dr. Jefferson said in New York, "without the slightest anxiety on our part." We certainly do not need to increase our military expenditures three hundred per cent. to prevent some nation from robbing us of that precious colony.

Not only the costliness but the futility of all this burdensome armament smites us in the face when we begin to think. Some years ago in Russia a man named Jean de Bloch began to write about war. He was not a dreamy sentimentalist; he was a banker and the administrator of a great railroad system. He had been studying war upon its scien-

tific and economic side. He advanced the argument that the introduction of long range, rapid fire guns using smokeless powder made decisive engagements between large bodies of troops impossible, and thus made useless the appeal to arms as a mode of settling international disputes.

A small force of men securely intrenched can now hold at bay indefinitely a mighty army. When men could safely march up within two or three hundred yards of earthworks, fortified positions were sometimes carried by the assault of a superior force. All this is now changed. The zone of fire extends to-day more than a mile. Across that space the man behind the earthworks can shoot with marvelous accuracy fifteen to twenty-five bullets per minute. Smokeless powder keeps the zone of deadly fire clear, so that he can see just how to shoot. The field is not obscured by smoke, as it was when Longstreet made his advance at Gettysburg. Smokeless powder and now the recently-invented noiseless rifle make it impossible to locate the foe either by sight or by sound; men simply drop dead as they undertake to make their advance across that zone of fire which extends for a mile. You can see the effect of it upon the *morale* of an army undertaking to carry any fortified position by assault. Such attempts are now things of the past.

Jean de Bloch had scarcely published his argument when the South African war came on to demonstrate the essential soundness of his main conclusions. The British Empire was making war upon two little republics numbering all told, men, women and children, about eighty thousand people. Less than half as many people as live in Oakland! Imagine that half of Oakland which lives west of Broadway waging war with England! Yet with all the resources of her army and navy, with the treasury drawn upon at the rate of a million dollars a day, with Lord Roberts in the field and the splendid courage of her best troops, the Boers held out against Great Britain for nearly three years.

It was a terrible experience for England. It burdened her with an increase of debt under which she staggers in

her present industrial depression. It hastened the death of the good Queen Victoria. It brings an apologetic note into the voice of almost every Englishman you meet to-day when he refers to it, and yet it was the British Empire against eighty thousand people. Imagine what it would have been in costliness and in futility had she been trying to overcome an equal. Picture the folly of England trying to overcome Germany or of France trying to conquer the United States. Jean de Bloch was right and many of Europe's wisest statesmen are saying so right out loud. They are using the sensible argument of this business man to try to stem this tide of militarism which somehow is sweeping across the face of Christendom.

And artillery has become all but useless against modern fortifications. Plevna told us that thirty years ago. The Russian General Todleben said of that campaign, "We would bombard Plevna for a whole day and kill perhaps a single Turk." And the South African war repeated the same sentiment with a loud "amen." The correspondents on the English side reported, "We bombarded Cronje for a solid week, and after the struggle was over we found he had lost in all that time less than a hundred men." The costly operations of modern warfare, when a fleet can fire away fifty thousand dollars' worth of ammunition in a few minutes and when armies in the field run up bills correspondingly great, impose burdens which might be borne for a brief period. But as we have already seen; the inability of any large army to win a speedy and decisive victory over another would cause the campaigns to drag along until the economic resources of both parties to the struggle would be taxed beyond limit, and thus the futility of the appeal to arms would be again demonstrated. All this has become so apparent that some of the wisest statesmen in Europe are saying that war between great nations of approximately equal strength has become on the face of it such an absurdity as to make such an event in the highest degree improbable.

In the city of Lucerne, on the shores of that lovely lake, with the Rigi and Pilatus rising up in front, Jean de Bloch caused to be erected a "Museum of Peace and War." He knew that abstract arguments are sometimes weak where visible, tangible facts are strong in their power of appeal. He provided for exhibits there of the various forms of armament, from the flint arrow heads and the primitive tomahawks down to Mauser rifles and Krupp cannon. He has shown how complete defenses may be made where barbed wire obstacles are stretched across that deadly zone which extends for more than a mile in front of the fortified spot—obstacles which men can neither cut nor pass under fire. He has shown the penetrative power of modern bullets. Napoleon used to say bluntly, "A boy will serve to stop a bullet as well as a man." But neither boy nor man stops the bullet from one of these modern rifles—it goes right on in its bloody career. Experts had calculated that a rifle bullet from a Mauser gun would pierce fifteen thicknesses of cowhide, a hard wood plank three inches thick, and then go through a dozen more inch pine boards placed at intervals. I saw there in that Museum the results of the test—the bullet pierced the cowhide, the three-inch plank, and went through sixteen inch boards, lodging in the seventeenth. Army men say that a bullet with force enough to pierce an inch board will kill a man. With such penetrative force you can see the deadly effect of these long-range, rapid-fire guns using smokeless powder. It helps to take away some of the glamour and romance from the terrible business of war to have it thus scientifically exhibited.

In that same Museum at Lucerne, where the exhibits of deadly weapons are educating thousands of tourists from all the nations of earth as they come and go year by year, other exhibits show the increase of international arbitration as a means of determining differences. Within the last ten years eighty of these arbitration treaties have been signed, our own country being a party to more than a fourth of them all. This cruel and costly international dueling does not really

settle anything. A few men have to sit down finally around a table somewhere and determine what shall stand. And as statesmen get their eyes open they will more and more insist that this shall be done before the costly and futile experiments in killing men take place rather than afterward.

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Human Nature and the War System.

Edwin D. Mead.

"When we seek the establishment of lasting and universal peace, we meet an element more elusive, more impalpable more difficult of conquest than time or space or air, a condition more unchanged, unchanging and unchangeable than any other in recorded history—human nature." This was Mr. Lodge's statement, in his speech on the arbitration treaties, of the philosophy upon which he bases his policy as regards the movement for international arbitration and peace. He certainly does not apply it so severely as to argue that we should conform ourselves forever to the *status quo;* he argues from it that we must expect advance in this field to be very slow, and raises the issue especially whether such purposes and efforts as President Taft's do not demand a progress much more rapid and presuppose a humanity already much better than comport with this philosophy. He is right in thinking that the demand does not comport with the philosophy; and I submit that the philosophy is false. Grotius, Penn, Leibnitz, Kant, Benthen, Franklin, Jefferson, Hugo, Mazzini, Cobden, Gladstone, Channing, Sumner, and the whole great company of living prophets of a better organized world, not only the party of peace but the party of progress altogether, would emphasize the declaration. All their activities and all their hopes are based upon their confidence that there is no other philosophy of history so false, and that the one thing in this God's universe which has

changed most in the few past millenniums which history illuminates, and which is changing fastest to-day, is the same human nature. Stocks and stones are always stocks and stones, and ape and tiger will always stay ape and tiger; but the nature of the bushman and the savage, the human nature revealed to us in the dawn of the historic process, is almost as different from the nature of Emerson and Lincoln and the generation of Hague conferences as brute from lowest man. History is precisely the record of the change of human nature, and it was Emerson himself who said—and it is but another statement of the same truth—that it is the record of the decline of war. It would be rash to say that Abraham Lincoln was a greater mind than Daniel Webster: but American human nature advanced so rapidly in the decade following 1850 that he became its vastly truer representative. The imperative movement for international order is at this very time describing the same course which the anti-slavery movement described in that time; it is passing from the stage of a great moral crusade into that of the most urgent and irrepressible political issue. The great senator whose seat Mr. Lodge now occupies, Charles Sumner, prepared in 1870 a powerful address upon "The Duel between France and Germany," in which he showed that wars are but the duels of nations. In two centuries our Anglo-Saxon human nature advanced so far that while at the beginning a man who would not fight a duel for his "honor" was accounted no gentleman, at the end he was accounted no gentleman if he would; and precisely the same process is going on with nations. Human nature is already vastly better than those believe who so define it as to justify inertia and obstruction. The demands of the man in the street, the burdened millions of Europe and America, the plain people, are so much in advance of the concessions and distrust of the politicians, that the slowness and misgivings of these, their poor esteem of present human nature, are to them incomprehensible; and so great is their revulsion everywhere from the war system, and so clear their sense of its waste, its wickedness and its irrationality, that they are by whole-

sale accusing their governments, in their continued compromise with it, of insincerity. Even Mr. Roosevelt said at Christiania two years ago, "Granted sincerity of purpose, the great powers of the world should find no insurmountable difficulty in reaching an agreement which would put an end to the present costly and growing extravagance of expenditure on naval armaments." Granted a just and true estimate of American human nature in this year of grace and of the measure of civilization which the world has actually achieved, the American Senate would find no difficulty in believing with President Taft that treaties with every one of the great nations which wish for such treaties, "pledging ourselves to abide the adjudication of an international court in every issue which cannot be settled by negotiation, no matter what it involves, whether honor, territory or money," would be absolutely safe, would be hailed with joy and pride by the overwhelming majority of our people and would place them where they rightfully belong, in the leadership of the nations in the commanding movement of the age for the supplanting of the system of war by the system of law.

From Jungleism to Internationalism.

Charles E. Beals.

Speaking from the standpoint of international peace, has the race moved up or down since the day of jungleism? Is man headed away from war, or is war to be his perpetual and unescapable lot on earth? Let us confine ourselves to facts, and not allow our wishes to determine our interpretation of the data.

Jumping over innumerable centuries from man's emergence from jungleism and the hunter stage to the bustling, bristling present, what do we find? Instead of small tribal groups, we see a half-hundred steel-clad nations. Vast standing armies are maintained in times of peace, permanently withdrawing, in Europe, some three to five millions of men from productive industry. Immense battleship fleets and war debts mortgage

the economic and physiological future of unborn generations. War is waged by machinery. Mechanical inventions and scientific discoveries are applied to the art of wholesale mankilling. In one short month from the time the Montenegrin prince fired the opening shot in the Balkan war, one hundred thousand able-bodied young men had been killed or partially shot to pieces.

In spite of the fact that the biological result of the modern man-made warfare is bad, that selection is reversed, that the physically fit are drained off from industry and parenthood, while the weaklings become the breeders; in spite of the fact that whole peoples are impoverished and under-nourished in order that armaments may be kept up or increased; in spite of the fact that gunism is biologically unscientific and economically wasteful; in spite of the fact that the common people pay the bill—and a big bill it is,—yes, in spite of science and humaneness, the so-called great nations, at this very moment, are cutting their people to the very bone for ever-increasing fleets and armies. Does this look like progress away from war? Or is all this simply proof that the stoutest habit which man has brought with him from the jungle is the fight habit, and that Krupp cannon and dreadnaughts are simply improved jungle weapons with which the human race eternally must arm itself to the end of time? "There always has been war, therefore there always will be," reasons the militarist philosopher, and he points to the modern rival armaments to buttress his argument. Is the militarist right? Is his interpretation of facts correct? Or does he ignore a set of facts which are not less real and are even more important than naval appropriations and sixteen-inch rifles?

Without wishing to ignore the ugly fact that during the present twelve months the "civilized" nations will spend between two and two and one-half billions of dollars for war purposes, may it not be that before long man shall come to regard the war system as intolerable? Let us look behind fleets and armies to the people. Let us see things in which they are most interested, the activities which they are carrying on, the appeals which most strongly influence them.

Six facts, among others, are significant for us, as we study man and try to determine in what direction he is moving.

1. Wars are less and less frequent. War is the exception today, whereas it used to be the normal state of nations. Mr. Emerson held that "all history is the record of the decline of war." Measured in money spent for war purposes as compared with the appropriations for other purposes, war seems to bulk larger than anything else. But measured by the number of wars, war has become increasingly infrequent, and this is more and more marked as each succeeding decade slips by. Peace is today the normal state and war the very rare exception. For most peoples cannibal expeditions are a thing of the past. Moreover, "bishops' wars" and "ladies' wars" have had their day and dropped out. That economic ruin and national suicide are the almost inevitable price of declaring war today has been shown by Bloch and Norman Angell. Hence, nations hold back from war as never before in all history.

2. Moreover, private war has been abolished altogether. I wonder if we take in the immense significance of this statement, brief as it is. In feudal times, any noble could declare war against any other noble and summon all his kinsmen and henchmen to help wage it. Would you see and understand feudalism at a single glance? Then picture to yourself a great baronial castle crowded with armed retainers ready to fight for their lord against a neighboring lord. One old German land pirate of the fifteenth century used to boast that he himself had conquered and burned 170 villages. And this was only a sample of what every "noble" was doing under feudalism.

How, then, did human society free itself from private war? Simply in this way. During the past 500 years, and especially during the past century, there have been evolving great nations. With the birth of nationality, feudalism dropped out, and private war dropped out with feudalism. There was no place left for crag-barons, and with the passing of the crag-baron the earth was delivered from the curse of private war. Thus in a perfectly natural and unescapable way, private war, which had existed from the time when jungle men first learned to band themselves

together in groups, dropped out entirely and forever. Private war "always had existed," but the day came when the economic and political and social needs of an ever-advancing race required that it should be laid aside, and private war went. Truly this is no small gain.

3. Again, to a most encouraging degree, war itself has been mitigated. Whatever, in times past, war was or was not, today it is a great game. And the players have found it convenient (not to say necessary) to adopt certain rules for the playing of the game.

The Red Cross movement also has helped to ameliorate war. Nevertheless it is difficult to suppress a titillation of the funny-bone when one considers one aspect of Red Cross. Not for one moment would I belittle the splendid service rendered by the Red Cross on such occasions as the San Francisco fire, the Messina earthquake, the Cherry Mine explosion and the Ohio floods. Such relief is statesmanlike, scientific, humane and altogether praiseworthy. Unfortunately one gets the impression from reading the report of international Red Cross conferences that relief work in time of peace is quite secondary—merely practice work—as compared with the real Red Cross work which functions only upon the field of battle. Here is the humorous inconsistency: First deliberately and with scientific skill partially shoot to pieces 10,000 or 100,000 able-bodied young men, and then turn around and, in the name of humaneness, appeal for relief funds. In this age, when science knows that hygiene is better than pills, prophylactics preferable to therapeutics, prevention more effective than cure, can we not see that the best way to relieve the suffering of wounded soldiers is to hasten the organization of permanent international peace? For, if you push to its logical conclusion that spirit of humaneness which prompted Henri Dunant to organize the Red Cross, you never can be satisfied to tolerate the infliction of preventable sufferings upon human beings through war which in our day has become entirely unnecessary.

4. Another fact bearing upon the problem of war is this, that people are learning to think in economic terms. Frederick the Great used to say that an army, like a snake, moves upon

its stomach. 'Tis true, likewise, of the human race. It was bread hunger, or economic necessity, which sent the children of Israel down into Egypt; the desire for economic betterment sent them back into the Promised Land. The same force drove the barbarian hordes down upon Rome. It is the same force which has brought millions of immigrants to America, and the same force sends them back to Europe in periods of hard times here.

As the people increase in number, the available lands fill up until no more land remains; then the bread problem becomes more and more serious. Threatening starvation drives men to intensive farming, to new and improved methods of agriculture, to the search for new foods hitherto unused. Most of all are we driven to search out the leaks in world housekeeping with a view to stopping those leaks. No economic student need go very far into the subject before discovering that one great leak in world housekeeping is war expenditure.

Happily economy, conservation and efficiency are the watchwords of our day. We are coming to see that waste is immoral. Yes, more. We are coming to see that even non-productive spending is immoral. This is distinctly the winning of a new foothold for civilization. But this once won, we shall never go back to our old toleration of waste. The chief concern of the world family is to get something to eat. In order that the world family may eat, war must get out of the way. And the increasing habit of thinking in economic terms, so characteristic of our socialized civilization, is prophetic of the speedy elimination of the war factor from the world problem of human life.

5. Another significant symptom is the noticeable strengthening of the judicial habit. You can measure civilization in any century by studying its method of administering justice. The tendency is all away from fist-law, the law of the jungle, and towards a better judicial process. It wearies the mind to attempt to conceive of the intervening chapters between the jungle chapter in man's history and trial by jury. It pains the heart to think of the earlier blind, crude, cruel attempts to organize justice. Law is displacing war. Camps give place to courts. Cannon

give way before codes. Civilization to be civilization, must be judicial, or at least must be judicial until that time when injustices, the cause of controversies, shall cease to be. And to this task of perfecting a permanent court of judicial procedure the living jurists and publicists are addressing themselves just now.

6. I shall have time to call attention to but one more set of data, namely, the international enterprises now in actual operation. In Brussels there is a Central Office of International Associations, which publishes a monthly review. In the first number of this bulletin it was stated that there are now more than 400 international organizations of various kinds. Furthermore, since 1840, over 2,100 international congresses have been held. And the noteworthy fact about these is that nearly half of them have been held during the last decade, showing a rapidly accelerating trend towards international co-operation and organization. Educators, scientists, reformers, religionists, labor leaders, Socialists, business men and philanthropists are doing effective team work together in international harness.

Only by an unforseen and catastrophic and utter extinction of the human species, can man escape his inevitable and rapidly approaching terrestrial destiny of organized pacifism and world-wide co-operation. We have left the jungle far behind and are fast nearing the goal of internationalism, which goal, once attained, will be the beginning-point of real civilization.

War Not Inevitable.

John W. Foster.

Let us examine the assertions that war is inevitable and sometimes necessary. We have been accustomed to look upon the contests of past ages as inspired by the spirit of conquest or entered upon under trivial pretexts and without reason, to satisfy the whims of autocratic or ambitious rulers; but that since the nations of Europe and America have assumed the form of constitutional and representative governments they

have not appealed to arms except for alleged grave reasons of state involving the honor and high interests of the countries concerned. The United States, since it attained its independence, has been in three foreign wars. These were entered upon under the constitutional requirement of an express vote of Congress. It may throw some light upon the subject we are discussing if we inquire how far these three wars were inevitable or necessary.

I premise by saying that the Revolutionary War was a revolt from the mother country, and therefore does not fall within the category of foreign wars; and yet, if the controversy which occasioned it had arisen in the last quarter of the nineteenth century in place of the eighteenth, there would have been no necessity for it. More than fifty years ago, when there was considerable agitation in Canada for independence or annexation to the United States, the *London Times,* reflecting the sentiments of the government and the people of Great Britain, used this positive language: "We have been taught wisdom by experience, and the most valuable as well as the most costly of our lessons has been taught by the barren issue of a conflict with a province which from remonstrance drifted to rebellion and crowned rebellion with independence. We should not go to war for the sterile honor of retaining a reluctant colony in subjection. We should not purchase an unwilling obedience by the outlay of treasure or blood." Should Canada to-day, resolutely and with a fair degree of unanimity, determine to set up an independent government, it would meet with no armed opposition from Great Britain.

The War of 1812, our first foreign conflict, was far from being inevitable. While it was justifiable, according to the rules of international law, the better sentiment of the country was opposed to it. The President, Mr. Madison, did all in his power to prevent it, but he was overruled by a few fiery spirits in Congress known as the "War Hawks," Henry Clay and John C. Calhoun, then young men, being the leaders who played upon the sentiment of hostility at that time so fresh against England. The declaration of war was passed by Congress after a long and

heated debate, a large minority vote being cast against it. Five days after this action, but unknown in America owing to the slow means of communication, the Orders in Council were repealed, and thus the main cause of the war was removed.

The fateful decision had been made, and Mr. Clay, the leader of the war party, predicted the conquest of Canada and that we should dictate peace at Quebec or Halifax. But our armies crossed the frontier only to be driven back in defeat, and though we gained some glory on the water, the conflict was barren of results, and we made peace without settling a single question about which we entered on the contest. Never was a war more fruitless in its conclusion. It was neither inevitable nor necessary.

It is the judgment of history that our second foreign war—that with Mexico—was provoked on our part, and that it was largely inspired by the spirit of slavery extension. Although the annexation of Texas, a revolted colony of Mexico, led to the armed contest, the immediate cause of the conflict was a disputed question of territory. Our government at the same time had a similar territorial question on our northwest coast with Great Britain even of a more heated character. The party which elected Mr. Polk to the presidency had declared for "fifty-four forty or fight"; that is, we must contend at the hazard of war for our extreme claim against England. But just then the British had concluded a war with China, and had a strong army and a formidable navy which could be sent at once to the territory in dispute. Under such circumstances our government prudently decided to make terms with England, and surrendered our claim to more than half of the territory in dispute.

Our conduct with our weaker neighbor on the south was in marked contrast. Without waiting for the result of negotiations, President Polk, with no authority from Congress, sent an army under General Taylor to occupy the disputed territory, and thus precipitated a war which, as I have said, in the judgment of historians, almost without exception, has been pronounced not only unnecessary but unjustifiable. A book has recently appeared which is written with a view to reverse this judgment, but it

furnishes new proofs to sustain the judgment, in the declaration of President Tyler, who brought about the annexation of Texas, that "the question of boundaries was purposely left open for negotiation," which he expected would be adjusted "by pacific arrangement"; and he accused his successor of having precipitated war by advancing Taylor's troops to the Rio Grande. Although the results of the war were greatly to the advantage of the United States, that does not change the fact that it was provoked on our part and was one of conquest and injustice.

The Civil War was domestic, not international, in its character, and hence not to be included in our present examination, but it may be remarked in passing that, though possibly the questions of the right of secession and the continued existence of slavery could not have been settled in the existing state of public sentiment except by a resort to arms, yet how much more economical it would have been to have purchased peace by paying the full value of every slave emancipated; and how many thousand of lives would have been saved, the wretched experience of reconstruction days have been avoided, and the bitterness and hate engendered by the fearful contest never have been created.

The war with Spain possessed some of the characteristics of that of 1812 with Great Britain. The President was strongly opposed to a resort to arms and struggled for peace to the last, but the feeling in Congress and the agitation in the press called loudly for hostilities. I entertain no doubt that the Spanish government would have granted at the end of the negotiations the demand of our government for the complete colonial autonomy of Cuba and practical independence such as Canada enjoys. But the ill-timed catastrophe of the explosion of the *Maine* in the harbor of Havana seemed to cause our people to lose their reason and led the President to intrust the issue to Congress, where it was hastily decided.

The Spanish War has demonstrated the evil effects of an aggressive war, entered upon without proper deliberation, under the whip and spur of undue public excitement. If before that war was declared Spain had offered to transfer to us the island

of Porto Rico for one fourth or one fifth of the cost of that war, we would not have accepted the offer. We would have said that the island was of little or no strategic importance, and would be an element of weakness rather than strength to our continental territory; that the people were without experience in government, without sympathy with our institutions, of different race, language, and religion, very ignorant and of a low grade of morality, a people whom it would require generations of time to assimilate with us; that, so far from shedding one drop of American blood for their acquisition, we would find the island a constant expense and incubus, and we should have declined even its free gift. Much less would we have accepted the Philippines on the other side of the globe, if offered us before the war, for one half of the hundreds of millions which it cost us, with a population even more objectionable than that of Porto Rico, largely pagan and Mohammedan, a territory which would be an element of weakness in time of war and a heavy expense in peace.

So, too, it might have cooled the warlike ardor of many an American taxpayer to have been told that the war upon which we were about to enter would end in the permanent enlargement of our military establishment, that our navy would seek rivalry with the greatest nations of Europe, and that our annual expenses for military purposes would amount to seventy-two per cent of the entire government expenditures. These considerations, with others of a like nature, if they had been properly and calmly examined by the people of the United States, might have led our Congress to delay, if not forego, the acts which inaugurated the hostilities against Spain. We never can tell to what extremities a foreign war may lead us.

The examination of the detailed facts attending the origin of our foreign wars shows that in every case the initial step attending hostilities was taken by us, that they were not inevitable, and that they all might have been avoided with honor. Our history shows that during our whole life as an independent nation no country has shown toward us a spirit of aggression or a disposition to invade our territory. If such is the case, is it

not time that every true patriot, every lover of this country and of its fair fame in the world, every friend of humanity, should strive to curb the spirit of aggression and military glory among our people and seek to create an earnest sentiment against all war?

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Ignorance of Valor.

We call the theories of this military pessimist* unscholarly because they deny the fundamental postulate of modern science —evolution. "War—victory—a nation. War—destruction—dissolution. Such," says he, "is the melancholy epitome of national existence, and such has it been from the beginning of human association until to-day." And therefore such it must ever continue to be! This nonsense—that is, no sense—this pessimistic philosophy that moral reform is always impossible; that the world moves in a great cycle; that to-morrow does but repeat in a different form yesterday; that human nature cannot be changed; that what always has been in the past must always be in the future; that only the visionary can imagine that war can be dispensed with, and that the practical man, the man of affairs, the man who knows history and understands human nature, will be content simply to provide for the inevitable war and make it as little disastrous to his part of the country as possible.

We meet this pessimistic philosophy with an emphatic denial of every one of its positions. We deny that the world moves in a cycle; that to-morrow reproduces yesterday; that we cannot change human nature; that what always has been must be; and that all we can do is to recognize the inevitable and prepare to meet it. The world of men is moving forward from an earlier and savage state to a future and truly civilized state. Humanity no more moves in a cycle than the individual man moves in a cycle. Every man has passed, in the earliest stages of his growth, through the various animal conditions before at birth he became the beginning of a man. Every individual man, in his subsequent

*Homer Lea, author of "The Valor of Ignorance."

growth, in childhood and youth, passes through a semi-barbarism modified by parental and social control and parental influences, and emerges at length, if rightly educated and trained, into a full-grown man, with ideals of truth and righteousness, and with power of self-control which enables him to shape his conduct according to those ideals. Historically, man has similarly emerged from a lower animal condition, passed through the various stages of barbarism—stone age, bronze age, iron age, and all the rest—to his present semi-Christianized, semi-civilized stage of development. Socially, at first came the family, which has been well called the germ-cell of society; then, by combination of families, the tribe: then, by union of tribes, the nation; then, by the unification of different nationalities homogeneous in race, the greater nation, as the German empire was formed out of the German provinces, and Italy out of the Italian provinces. Last of all, we are coming into that stage of society in which the nations are increasingly recognizing their international relations and looking forward to some form of true international unity. The whole doctrine of evolution, accepted now by all scholars in all departments of learning, is absolutely inconsistent with the pessimistic notion that the world moves in a cycle, that history repeats itself, that we cannot change human nature, that to-morrow is but a repetition in a different form of yesterday. We can change human nature and are changing it. Human nature in America in the twentieth century is not the same as human nature in Rome in the first century. Society has abolished private war and family war. The long campaign between the Guelphs and the Ghibellines will not be reproduced in American democracy. We have abolished private war by providing a substitute for it. We propose to abolish international war by providing a substitute for it.

This moral and intellectual progress of the human race has already abolished or substantially abolished two chief causes of war in past times. One of these causes was greed of gain, unrestrained by either personal or social conscience. Many of the great wars of past history were simply wars made by highway robbers on a great scale. The strong nation gobbled up its weaker

neighbors because it wanted its territory and had power to take it. No excuse was demanded and none was offered. Might made right and all the right there was. The moral and social development of mankind has put an end to these robber wars among genuinely civilized countries. The days of Darius the Great, Alexander the Great, Julius Cæsar, and even Napoleon Bonaparte are past and will not return. If in the war between Italy and Austria Italy takes Venice from Austria, she defends the taking because Venice was formerly a part of Italy; if in the war between Germany and France Germany demands Alsace-Lorraine, she defends the demand because formerly Alsace and Lorraine, belonged to Germany. Mere national highway robbery belongs to past ages. Even if a Julius Cæsar or a Napoleon Bonaparte should arise, the widespread intelligence of the masses of the people would prevent them from following such a leader into a campaign the only and avowed object of which was a gigantic plundering of a weaker neighbor, unless they were swept into it by cunningly stimulated popular passion and prejudice. Napoleon carried off art treasures from Italy as booty of war to add to the wealth of Paris. The most important of these treasures have been returned. John Pierpont Morgan by peaceful purchase has brought to the United States art treasures from Italy. They will remain. And it cost Mr. Morgan immeasurably less to buy from Italy than it cost Napoleon to plunder from Italy. Even if Japan could land two hundred and fifty thousand troops on our Pacific coast and hold the territory, she will not attempt to do it unless by our fatuous folly we provoke her excessive pride. Far more money can be made by trading with a country than by conquering it and taxing it. Robber wars are no longer profitable among civilized nations.

A second great cause of war has been religious controversy, and religious controversy will not, it is safe to predict, bring on another war. No Duke of Alva will again attempt to ravage a Holland, no Cromwell to ravage an Ireland. This is not because the Roman Catholic is less of a Roman Catholic, not because the Protestant is less of a Protestant, but because both have learned the lesson of religious liberty, because each is will-

ing that the other should worship God according to the dictates of his own conscience.

Two other causes of war, both of which are operative in our times, are national misunderstandings and commercial rivalries; and all controversies growing out of national misunderstandings or commercial rivalries can be and ought to be settled by arbitration. Usually the two causes cooperate, and the one produces or intensifies the other. Two street urchins engaged in the sale of newspapers become, by natural process of competition, claimants for the same block in a great city. After a brief period of diplomatic notes exchanged between these two powers in the form of mutual and clamorous assault and defense, they lay down their papers and engage in a battle of fists to settle the question to whom the block belongs. This, on a small scale, is boyish savagery. What is it on a large scale?

Commercial wars—that is, wars to collect debts, or settle questions of property interest, or determine by a contest of strength commercial rivalries which should be settled only by a contest of industrial enterprise and public service—cannot be justified upon any ethical principles. It is a general rule, to which there are few exceptions, that to sacrifice the lives of innocent persons to protect things is to sacrifice the more valuable for the less valuable. The occasional sacrifice of a policeman's life in a battle against burglars, or a militiaman's life against a mob, is not an exception, because in either case the life is sacrificed not merely, not mainly, to protect property, but to preserve law and order, and so protect society from threatened anarchy and disintegration. That commercial competition can be carried on by neighboring and competing nations in a spirit of generous rivalry which promotes their friendship, not their enmity, has been strikingly demonstrated upon this continent. For nearly a hundred years Canada and the United States have lived in direct geographical contact, and back of Canada has been the whole military and naval power of Great Britain. For years competing steamship lines have traversed the Atlantic seeking trade with Europe, competing railway lines have traversed the continent bidding against each other for the traffic, and competing steam-

ship lines again have traversed the Pacific competing for the traffic of the East, and during this hundred years there has not been a war-ship on the lakes nor a fort on the frontier. Our peaceful relations have been maintained in a spirit of generous, though sometimes sharply contesting, rivalry, and it now looks as though this hundred years of peace would find a fitting celebration in the adoption of the Reciprocity Agreement between the two countries which will bind them in still closer relations of amity than ever before. Such a historic fact points the man of vision to the time when all nations will find in fellowship an advantage which they never found in hostile rivalry, and indicate to the man of vision the first steps to be taken to secure this beneficent result. It is only the man who walks with his head toward the future and looks only to the past who cannot see this prospect of international peace.

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Industrial Basis for International Peace.

Graham Taylor.

Industry furnishes the victims of war. Working-capital and working-people are "food for powder." They supply the "sinews of war" in money and in flesh and blood. Brawn for battle and blood for carnage are drawn only from labor. The treasure and tax of toil are the fuel for the flame of war. And yet the competition of commerce to get the materials for industry or to market its goods has been the chief incentive and occasion for the world's warfare.

There is a poetic justice in the fact that industry is preparing the way for peace, and in the prospect that the new foundations for international peace will prove to be industrial. It is none the less, but even more significant, that the peoples' peace is thus coming, less through such conscious effort as those of peace societies and their congresses, than as a by-product of blind economic forces and of world wide industrial tendencies.

But because of such voluntary preparations for peace as are being laid by education, ethics and religion, it will thus have all the firmer basis in the economic necessities of the new times. The ancients used to think "the stars in their courses fought" for or against them. We moderns are beginning to learn that it is futile to fight against the course of events, the order of things, the way of the world, and our common human nature, which are making for peace.

Industrial interdependence, more than anything else, makes peace possible, and war more and more impossible. Man and man are made interdependent by the sub-division of labor, craft upon craft by the organization of industry. Class is dependent upon class and nation upon nation all up and down the scale and the wide world over as never before in human history. "No man liveth to himself," nor can he. There is no self-made, self-dependent man or community or nation any more, no matter how much more so any have been in the past. We have all become so necessary to each other that we cannot get along, or even exist very long without each other. This interdependence grows with every invention, with every labor-saving device, with every economy and efficiency in production and distribution, with all the growth of civilization. And as it grows, any interruption of these necessary interrelationships menaces human existence, becomes intolerable, costs too much for any people to afford. War, therefore, becomes more and more impossible, peace more and more necessary as nation becomes more and more dependent upon nation not only for its profits, but for its very living.

A broader basis for association is being laid by modern industry which is sure to become the foundation for peace among the peoples. Under the domestic system of industry, kinship or the village furnished the bond for almost all human associations. Under our modern industrial system, combination far and wide across these lines becomes necessary to both capital and labor. Capital has been compelled to mass its money and management in larger units. An individual finds it less profitable and less possible to be "in business for himself." As partnerships supplant individuals, so corporations supersede partner-

ships and are superseded in turn by syndicates and larger combinations of capital.

Labor is forced to combine by the same economic necessity. Collective bargaining is the only way by which it can preserve its freedom of contract in dealing with collected capital. As employers and employes recognize their own and each other's necessity to combine, they naturally and inevitably deal jointly. The joint trade agreement necessarily includes provisions for conciliating and arbitrating their differences. Thus the very elements which have been creating internal strife and provoking foreign wars are training themselves and each other in the ways of peace. In their separate and collective interests, organized capital and organized labor promise yet to be the chief impediments to war and the mainstay of the world's peace. For within every nation this industrial organization on both sides is clearly evolving a larger liberty, at least for the class; a rising standard of living for the mass; a stronger defense against the aggression of one class upon another and a firmer basis and more authoritative power to make and maintain peaceful and permanent settlements of industrial differences. More slowly yet surely, there are developing legal forms and sanctions which not only make for justice and peace between parties at variance, but recognize and secure the final authority of the public as the third and greatest party to every industrial interest and difference.

Thus by associating with larger and more diverse groups the people understand each other better, are less likely to be divided by prejudice and passion from those with whom they work and deal, and are preparing to fulfil Mazzini's prophecy of "the association of the peoples."

Modern industrialism tends to bring men into international relationships. Capital has necessarily become cosmopolitan. It has largely expatriated itself. Commerce floats its ships and cargoes under any flag that pays best. However sinister may be the influence which commercial interests have had upon politics, there is a larger good evolving out of them. Organized workingmen, who were the first to frighten the world by ignoring

national boundaries, are naturally developing international unions out of their national organizations, without the loss of patriotism. By stretching hearts and hands across seas to organize for their common interest across every frontier, these great craft brotherhoods bid fair to command the world's peace by their refusal to fight each other. Socialism is nothing if not international. However decisive it may be among the people of each country, it can never array one nation against another without committing suicide. However impracticable or dangerous its ideals may be considered by others, socialists themselves honestly think their theory furnishes the final and only basis of peace, by destroying the competitive incentive to war.

Industrial migration and immigration are playing a fundamental part in pioneering peace. Beneath all the unrest, waste and wreckage attending the modern mobility of labor, the working people who are drawn or driven from land to land are like the shuttles in a great loom that is weaving a new pattern of international citizenship and cosmopolitan patriotism. America's adopted citizens are not so likely to want or tolerate war with the lands of their birth, as would the descendants of our colonial forefathers, had they continued to live upon an isolated continent by themselves. The return of so many working men to their kinsfolk in the father lands, when trade is dull and work is slack in America, makes our very industrial depressions work for peace. Thus the movements of our armies of industry and fleets of commerce are really an invasion and siege of the battlefields and citadels of war for the permanent establishment of peace. Commercial and labor laws in every land and reciprocity treaties between trading peoples are preparing the way for international courts and broadening and enlarging the scope and power of international law. Already we have an international society for labor legislation, with sections in each land and publications in the languages of all the "great powers." This and every other co-operative effort to establish industrial justice and peace by the enactment and enforcement of law, limit the area and the number of the fields for fighting; substitute a court officer for a regiment of soldiers; build a "palace of justice"

instead of a fortress, and consecrate it as the cathedral of the state. All the highways of traffic and the waterways of commerce lead no longer to Rome, but to the high court of arbitration at the Hague, where the peoples of the earth will yet seat the supreme court of the United States, of Europe, Asia, Africa, Australia and America.

World's Work. 23: 155-6. December, 1911.

World's Peace in the Making.

Simon N. Patten.

If one watches from day to day the statements of newspapers, or estimates the expenditures made on national armaments, he is inclined to the view that the world has not changed, that the passions of men are as strong as ever, and that wars will always remain objects of dread and a menace to social progress. The reasoning back of this view is often stated, and has become so familiar that it is part of our historical heritage. The opposing view is seldom clearly expressed and seems to lack force because there is no emotional background to give it vividness. I have no desire to imply that the older view has no validity. The arguments for it are plain and clear. What I wish to impress is that we are in an age of transition in which the new and the old exist side by side, and thus are confused. The new is steadily coming more clearly into view, while the old yields but slowly because it is made vivid by tradition and emotion.

This contrast is made more vivid when we realize the radical difference between the appeal which war and peace make to us. The appeal of war comes through our emotions and national traditions. The nearer we can put ourselves in the attitude of primitive men in a fierce struggle for local advantage, the more clearly does the proposition of nations come out, and the more vivid is the appeal that war makes.

Religion, race, language, and local advantage have given the basis of past conflicts, and have separated men into opposing

groups, which struggled in hopeless endeavors to suppress each other. These antagonisms have not ceased, but they have lost their force as means of arousing modern nations, because the grouping of nations, now necessary to carry on a successful war, must extend over such large areas that men of opposing religions, races, and languages must be on the same side. An emotional, local war is now impossible, for it would be quickly suppressed by the larger nations whose interests are jeopardized.

Emotion is intense only as it is local and vivid. It has no means of propagating itself, except by personal contact. A large assembly might be emotionally aroused, but the extreme limit of such an assembly would be five thousand persons. Fifty million people could not be aroused by any such means. As a result, the orator is displaced by the editor; for only books and papers can reach so large a number located in so many places and living under such different conditions. I do not mean to imply that editors and authors are better than orators, but their actions are conditioned by the medium they use. Successful papers must appeal to a large audience, and hence local appeals fail to arouse, or more often arouse antagonisms that destroy the paper's influence. There is, therefore, a constant tendency to appeal to broader motives, and to base the appeal on statistical and historical evidence that has but slight emotional value. Orators appeal to passions, while editors appeal to facts. This states concisely a notable difference between the means used by these two dominant social forces. The change from listening to reading carries with it a change from local intense appeals to those that are general and mild. Larger areas are thus united and a check is put upon local antagonisms and upheavals.

This change is made emphatic by like alterations brought about by commerce and industry. The food of our ancestors was raised on their farms, their clothing was made in their homes, and their houses and tools had a local origin. Each community was thus locally independent, and did not feel the evils that befell other communities or nations. War stood for the conquest of the stranger and the appropriation of his goods. Ancient wars had plunder as their end—your neighbor's pros-

perity was thus your temptation and his loss brought home to you no felt evil. Modern industry has changed all this. The stoppage of commerce means the loss of customary articles from your table and a failure, on your part, to dispose of some of the articles you have produced. War thus means conscious deprivation to all in industrial contact with the warring nations. The losses are not confined to those engaged in it, but are felt by the whole world. The capital destroyed is taken from the world's market, and the labor displaced is felt by every industrial worker. The evil most dreaded by workmen is unemployment, and this is one of the most readily perceived results of great wars. First war, then industrial depression, and then a lack of work and decreased wages is a sequence so obvious that even the dullest worker can comprehend.

It is, therefore, no wonder that 250,000 workmen assembled in Berlin to protest against a recent menace of war. To them, war would mean a burden with no compensation in glory. Lower wages, less work, and a lower standard of life could be the only result of a clash of arms. Facing these evils, how could the workmen of Berlin do other than they did? It is also important to note that for once the interests of capitalists and laborers in Germany became identical. The financiers opposed war with the same vigor as did the socialists, thus showing the fundamental unity of the social parties which, on minor matters, oppose each other so bitterly. The great gain of socialism is that it has made workmen calculate what is for their advantage. An economic viewpoint has disadvantages, in that it prompts people to be over-zealous for their economic rights, but it sweeps away the emotional background that has controlled the world for ages. No calculating man wants to fight. The very things that seemed on the credit side of war, thus become its greatest debits. Glory becomes misery when it is represented by a column of figures. To both capitalist and laborer this is becoming plain, with the result that their united forces will oppose war.

Calculation and emotion are the great forces that determine history. Emotion is local and intense, and has its maximum effect in private life. It loses force as the size of social units

grows. Public matters must, thus, become matters of calculation in which emotion plays a subordinate part. The distant evil makes itself felt, not on our emotions, but in dollars and cents, in poorer meals and less work. These are the forces that oppose war, and their growing control over our conscious acts means the repression of the emotional outbursts that lead to war. The growth of commerce, the increase of capital, the rise in the standard of life, the greater use of magazines and papers, the spread of art and literature—all augment the forces of peace and increase the difficulty of arousing the warlike feelings that wrought such havoc in the past.

War has not gone from us, but its forces are held in check by the interests and sentiments of modern industry. It will go when men live in the present and let their present contact with other men govern their acts. War is within us—made active by tradition and emotion. Peace is without—and has its bases in the harmony of interests and the welfare of mankind. Slowly but surely, economic interests dominate the emotions, and the growth of nations unites men of different faith, emotion, and education into one social unit. The larger the nation, and the higher the standard of life, the more do the forces of peace dominate.

Independent. 74: 467-8. February 27, 1913.

Impossible War. David Starr Jordan.

What shall we say of the Great War of Europe, ever threatening, ever impending and which never comes? We shall say that it will never come. Humanly speaking, it is impossible.

Some glimpses of the reasons why appear daily in the press. We read that German and that Austrian banks try in vain to secure short loans in New York, even at 8 per cent. We learn that great bankers refuse absolutely to loan on any terms for war. We learn that on the day of Montenegro's

declaration of war the nominal value of stocks and bonds in Europe fell to the extent of nearly $7,000,000,000. The loss of France alone, the creditor of Europe, is given at $800,000,000.

At the same time the house of Krupp, greatest builders of war tools, reports a surplus for the year of $12,500,000. A 12 per cent dividend was declared, besides the setting apart of $4,000,000 for welfare work and capital reserves.

The gains of war and war-talk go to the vultures. The cost falls on the people. Whatever else happens the common man stands to lose in war. In such a war as this they all lose mightily.

The number of men who might be engaged in a general war are thus tabulated by Prof. Charles Richet, of the University of Paris:

Austria	2,600,000
England	1,500,000
France	3,400,000
Germany	3,600,000
Italy	2,800,000
Rumania	300,000
Russia	7,000,000
	21,200,000

If these nations, supposed to be diplomatically concerned in the question of whether the obscure Albanian port of Durazzo should fall to Servia or to Austria, neither of the two having the slightest claim to it, should rush into the fight, the expense would run at $50,000,000 per day, a sum to be greatly increased with the sure rise of prices.

The table of Richet (here changed from francs to dollars) deserves most careful attention.

Daily cost of a great European war:	
Feed of men	$12,600,000
Feed of horses	1,000,000
Pay (European rates)	4,250,000
Pay of workmen in arsenals and ports	1,000,000
Transportation (60 miles 10 days)	2,100,000
Transportation of provisions	4,200,000
Munitions: Infantry, 10 cartridges a day	4,200,000
Artillery, 10 shots per day	1,200,000
Marine, 2 shots per day	400,000
Equipment	4,200,000
Ambulances, 500,000 wounded or ill ($1 per day)	500,000
Armature	500,000
Reduction of imports	5,000,000
Help to the poor (20c. per day to one in 10)	6,800,000
Destruction of towns	2,000,000
Total per day	$49,950,000

To all this we may add the horrors of the air, the cost of aeroplanes and of burning cities which this monstrous abomination of murder may render inhumanly possible. The nation which uses instruments like these against a sister nation can boast no advantage over the Red Indian and his scalping knife.

In this connection we must remember that Europe still owes $27,000,000,000 for old war debts; that her present nominal capital of floating bonds is estimated at $150,000,000,000; that she has in circulation at present ten to twelve billion dollars of bank notes, and that in all her banks and vaults there exists but seven or eight billion dollars of actual coin or bullion, a third of this locked up or tied up in vaults from which it cannot escape. The total of coin money and bullion in circulation in the whole world is not far from $10,000,000,000.

The growth of credit in the last forty years has been without conceivable precedent. The movable credit of Europe in 1871 did not exceed $40,000,000,000.

The masters of credit are staggered at the hazards of present day war. Wars of a certain class may be tolerated, others may be connived at in the interest of local exploitation, but the great wars—ending perhaps, whoever is victorious, in the total destruction of credit—present appalling risks unknown to any earlier generation.

The bankers will not find the money for such a fight, the industries of Europe will not maintain it, the statesmen cannot. So whatever the bluster or apparent provocation, it comes to the same thing at the end. There will be no general war until the masters direct the fighters to fight. The masters have much to gain, but vastly more to lose and their signal will not be given.

World's Work. 20: 12927-32. May, 1910.

New Reason for Peace. Norman Angell.

Is the whole fabric of national life built on a superstition?

It is commonly believed that the power, prosperity and happiness of a nation depend on its military and naval strength. It is common belief that national existence must be defended by arms. People commonly suppose that the strong nation can guarantee opportunities for its citizens that the weak nation cannot guarantee.

In accordance with this belief, rival armaments grow to monstrous proportions; Europe trembles to its centre with the fear of a general war.

True, enlightened public opinion has come to appreciate the inhumanity of war. But public opinion, far from restraining governments from increasing preparations for war is pushing them further.

The Englishman, for instance, believes that his wealth is largely the result of his political power, mainly of his sea power; that Germany with its expanding population must feel cramped and must soon fight for elbow room; and that if he does not defend himself he will illustrate that universal law

which makes of every stomach a grave-yard. And the Englishman has a natural preference for being the diner rather than the dinner. Since it is universally believed that wealth, prosperity and well-being go with national strength and greatness, the Englishman intends, so long as he is able, to maintain that strength and greatness.

Admitting his premises—and these premises are the universally accepted axioms of international politics the world over—who shall say that he is wrong?

An Optical Illusion

But are these universal axioms unchangeable?

Is it true that wealth and well-being go with the political power of nations, or, indeed, that the one has anything whatever to do with the other?

Is it a fact that one nation can gain any solid, tangible advantage by the conquest of another?

Is it possible for one nation to take by force anything in the way of material wealth from another?

Is it possible for one nation in any real sense to "own" the territory of another—to own it, that is, in any way which can benefit the individual citizens of the owning country?

If England could conquer Germany to-morrow, completely conquer it, reduce its nationality to so much dust, would the ordinary British subject be the better for it?

If Germany could conquer England would any ordinary German subject be the better for it?

Does the political or military victory of a nation give any advantage to the individuals of that nation which is not still possessed by the individuals of the defeated nation?

The fact that *all these questions have to be answered in the negative,* and that a negative answer seems to outrage our common sense, shows how much our political axioms are in need of revision.

The ordinary conception of national prosperity and armed power is a gross and desperately dangerous misconception.

partaking at times of the nature of a superstition; a misconception so profoundly mischievous as to misdirect an immense part of the energies of mankind.

The fact, of course, is that if one nation were soundly to thrash another to-day, if Germany were to invade England, it could carry nothing away as the fruits of victory. Germany could inflict no damage on England that would not react in as great damage on itself.

No nation can in our day by military conquest permanently or for any considerable period destroy or greatly damage the trade of another. Trade depends upon the existence of natural wealth and a population capable of working it. So long as the natural wealth of the country and the population to work it remain, an invader cannot "destroy" it. He could only destroy the trade by destroying the population, which is not practicable; and if he could destroy the population he would destroy his own market, actual or potential.

Neither "domination" nor "predominance of armament," nor the "command of the sea," can do anything for commerce and industry or general well-being. England may build fifty Dreadnoughts and not sell so much as a pen-knife the more in consequence. England might conquer Germany to-morrow, and it would find that it could not, because of that fact, make a single Englishman a shilling's worth the richer in consequence.

The cause of this profound change, largely the work of the last thirty years, is due mainly to the complex financial interdependence of the capitals of the world, a condition in which disturbance in New York involves financial and commercial disturbance in London, and, if sufficiently grave, compels financiers of London to cooperate with those of New York in putting an end to the crisis, not as a matter of altruism, but as a matter of commercial self-protection. The complexity of modern finance makes New York dependent on London, London upon Paris, Paris upon Berlin, to a greater degree than has ever before been the case in history. This interdependence is the result of the daily use of those contrivances

of civilization which date from yesterday—the rapid post, the instantaneous dissemination of financial and commercial information by means of telegraphy, and generally the incredible progress of rapidity in communication which has put the half-dozen chief capitals of Christendom in closer contact financially, and has rendered them more dependent the one upon the other than were the chief cities of Great Britain less than a hundred years ago.

If Germany Invaded England

A fiery patriot sent to a London paper the following letter:

When the German army is looting the cellars of the Bank of England, and carrying off the foundations of our whole national fortune, perhaps the twaddlers who are now screaming about the wastefulness of building four more Dreadnoughts will understand why sane men are regarding this opposition as treasonable nonsense.

What would actually happen if a German army were to loot the vaults of the Bank of England? The first effect, of course, would be that, as the Bank of England is the banker of all other banks, there would be a run on every bank in England, and all would suspend payment. But simultaneously, German bankers, many with credit in London, would feel the effect; merchants the world over, threatened with ruin by the effect of the collapse in London, would immediately call in all their credits in Germany, and German finance would present a condition of chaos hardly less terrible than that of England. The German generalissimo in London might be no more civilized than Attila, himself, but he would soon find the difference between himself and Attila. Attila, luckily for him, did not have to worry about a bank-rate, and such-like complications; but the German general, while trying to sack the Bank of England would find that his own balance (did he possess one) in the Bank of Berlin would have vanished into thin air, and the value of the best of his investments dwindled as though by a miracle; he would find that for the sake of loot amounting to a few sovereigns apiece among his soldiery, he had sacrificed his fortune.

World's Financiers Make No Mistake

We are told by all the experts that great navies and great armies are necessary to protect our wealth against the aggression of powerful neighbors, whose cupidity and voracity can be controlled by force alone; that treaties avail nothing, and that in international politics might makes right. Yet when the financial genius of Europe, studying the question in its purely financial and material aspect, has to decide between the great states with all their imposing paraphernalia of colossal armies and fabulously costly navies, and the little states (which, if our political pundits are right, could any day have their wealth gobbled up by those voracious big neighbors) possessing relatively no military power whatever, such genius plumps solidly and, with what is in the circumstances a tremendous difference, in favor of the small and helpless. For a difference of twenty points, which we find as between Norwegian and Russian, and fourteen as between Belgian and German securities, is the difference between a safe and a speculative one; it is the difference between an American railroad bond in time of profound security and in time of widespread panic. And what is true of the government funds is true in an only slightly less degree of the industrial securities, in the national comparison just drawn.

Is it altruism or quixotism which thus impels the capitalists of Europe to conclude that the public funds and investments of powerless Holland and Sweden (any day at the mercy of their big neighbors) are from 10 to 20 per cent safer than the greatest power of Continental Europe? The question is of course, absurd. The only consideration of the financier is profit and security, and he has decided that the funds of the undefended nation are more secure than the funds of one defended by colossal armaments. How does he arrive at this decision, unless it be through the knowledge that modern wealth requires no defence, because it cannot be confiscated?

If the common doctrine be true, the Rothschilds, Morgans, and Sterns would not invest a pound or a dollar in the terri-

tories of the undefended nations; and yet, far from that being the case, they consider that a Swiss or a Dutch investment is more secure than a German one; that industrial undertakings in a country like Switzerland, defended by a comic-opera army of a few thousand men, are preferable in point of security to enterprizes backed by three millions of the most perfectly trained soldiers in the world.

The attitude of European finance in this matter is the absolute condemnation of the view commonly taken by the statesman. If a country's trade were really at the mercy of the first successful invader, if armies and navies were really necessary for the protection of trade, the small countries would be in a hopelessly inferior position and would exist only on the sufferance of what we are told are unscrupulous aggressors. And yet Norway has relatively to population a greater carrying trade than Great Britain; and Dutch, Swiss, and Belgian merchants compete in all the markets of the world successfully with those of Germany and France.

It may be argued that the small states owe their security to the various treaties guaranteeing their neutrality. But such a conclusion of itself would condemn the supporters of great armaments, because it would imply that international good faith constituted a better defence than armaments.

Century. 81: 952-3. April, 1911.

Arbitration Only Law Writ Large

A great deal of ridicule has been wasted on the supposed quixotism of the advocates of world-peace, whose confidence in the ultimate triumph of their cause is thought to be a source of laughter for the gods, who, still planted on Olympus, may be supposed to pass their time in making sport of mortals. The believers in war as one of those customs

> which, having been, must ever be,

must have been heartened by the Russo-Japanese conflict (against which, by the way, there was no barrier of arbitral

agreement), but they could not have got much comfort from the announcement by General Woodford, our minister at Madrid, that the war with Spain might have been avoided by diplomacy, and that everything might have veen peacefully accomplished for which the violent war advocates of the yellow and near-yellow press contended. But may not the tables be turned upon those who boast of knowing "human nature" when every reference of a case to the Hague Tribunal for arbitration has probably meant the averting of a difficulty which might have been fanned into the flame of war by sensational newspapers, or sordid interests, or embarassed politicians needing to divert public attention from their failures?

If these specific instances—such as the settlement of the difficulties between Canadian and American fishing crews—have thus been softeners of controversy, how much more of conflict may have been or may be avoided by the hundred and more obligatory arbitral agreements among the nations? While the world is marching steadily toward the largest principle of international justice through courts of arbitration, the unconvinced cry, "War! war!" but there is no war. Is it not possible that there are two kinds of "human nature"—the kind that is always on the fighting edge, and the kind that makes sacrifices for peace? The noisy jingo may not realize that the "gentle hermit" is also a force to be reckoned with. The so-called man of the world is often only a man of half the world.

But those who sincerely, disinterestedly believe it impossible to put an end to war would not for a moment aid in defeating an arbitral advance. The most they would say of it would be that it is conceived in childish ignorance of "human nature," and can do no harm. Even some of the advocates of battleships that wear out in a few years and of fortifications that tomorrow may be vulnerable to air-craft would not deny opportunity to try the "fad." Looking at the past with single eye, they simply find it preposterous to conceive that men will give up an agency which, as they think, has accomplished so much for the advance of civilization as armed conflict. They are somewhat like the opponent of the Universalists, who said:

"Why, they believe that all men are to be saved! But we hope for better things." We are accustomed to rank among beneficent wars (Heaven save the mark!) our own great conflict between North and South, since it erased the national blot of slavery. But what if the statesmen of our first era had grappled boldly with that problem when it was a small one, instead of leaving it to well-nigh destroy the nation they were founding? A little arbitration then might have been determinative of our fate in a happier sense. As it is, the responsibility of that horror must rest forever upon the short-sightedness of our first generation of leaders, the great men of Washington's time, North and South.

And what is there so utopian about the movement for universal peace through arbitration? What is it but the extension of the bailiwicks of justice, the abolition of frontiers in the functions of law. If it be asserted that absolute justice is not so to be arrived at, the reply is that it seldom is, even in courts and very rarely, if ever, by war itself, and that civilization consists in the agreement of citizens in cases of disputed rights to abide by the decisions of judge or jury even at a sacrifice of absolute justice. What gives force to the law is the power of public opinion behind it. When a man takes the law into his own hands he forfeits the sympathy of his fellows. The same will one day be true of nations. International public sentiment will be as lively to repress or punish the offender as it will be effective to give substantial justice. Does any one complain now of the Geneva Award or of the Fisheries Award? The sense of wrong usually perishes when one's case has been fairly heard and the affair has become *res adjudicata*.

If some portion of Mr. Carnegie's princely gift of $10,000,000 to promote the cause of peace (which, we believe, is first to go to the codification of International Law) can be used to educate the world as to this analogy, and as to the extraordinary good that is being accomplished by the first steps in arbitration, it will prove the most useful of his gifts. Granted that our coast is undefended against an enemy in war: its wisest defenders are not the advocates of unlimited battle-ships and

forts, but those who are laboring to reduce to a minimum of danger the difficulties that may arise. The old order changeth. We are living in a new era of world intercourse, and the sense of honor and responsibility among nations, which was never more acute, must be relied upon to lead them along the path of peace, which is also that of enlightened self-interest.

Proposed Arbitration Treaties with Great Britain and France.

William Howard Taft.

Now, there are those—and I am not disposed to do other than to reason with them—who say that war is absolutely necessary for the development of humankind, and they can point in history to certain wars without which the progress that was made might not have been. They can say, for instance, that we should still be related to England as a colony but for the War of Independence; that we might still have slavery but for the Civil War by which we were enabled to excise the cancer of slavery; but there are other wars that we might have avoided had we proceeded as we are planning to proceed today.

War doubtless does develop the stronger virtues of men. Anything that tends to make men sacrifice themselves does so. But I rather think that in hunting through the life of a nation and the life of a generation, we will find enough things to test character, to invite sacrifice, without our insisting upon having war in order to develop human nature.

I want now to take up the first proposition involved in these treaties, and that is the elimination from the exceptions in the old treaties of questions of national honor and vital interest. It struck me, as I am sure it must strike you when you read a treaty that says, "We will agree to arbitrate everything that arises between us except questions of national honor or vital interest," that you have omitted, from the things which you are to arbitrate, about everything that is likely to lead to war. At least, you have put into the treaty words which any nation

that desires to avoid arbitration can fall back upon as including everything that they wish to include within that description.

So far, therefore, as facilitating peace and avoiding war are concerned, these treaties might just as well have been written in water, except that they express the general desire to arbitrate when it is easier to arbitrate than otherwise.

Now, I am asked, "Would you arbitrate a question of national honor? Would you submit to arbitration your personal honor?" I have no hesitation in answering that exactly as it is put: I would much prefer to submit to a board of arbitration, composed of intelligent jurists of an impartial mind, the question whether our national honor has been attacked, and if so, what the reparation of the injuring nation ought to be, than to go to war about it.

What would war settle? If we wiped our enemy off the map it would settle the fact that we were the stronger nation, and if we were wiped off the map it would settle the fact that they were—and that is all it would settle!

Napoleon said that the Lord was on the side of the stronger battalions. Of course, if we wiped the enemy off the map, we would at once claim that the Lord was with us, and that would be a satisfactory arrangement. But it is a little difficult to explain our relations to the Lord if we are wiped off the map.

That was exactly the principle of the *code duello*. If I claimed to be a gentleman and was insulted by a gentleman—of course, we all had to be gentlemen in those days in order that the code should work—if I were insulted by a man who called himself a gentleman, the *code duello* required that I should go out and make myself a target for him because he had insulted me. Of course the reverse was true, that he had to make himself a target for me, and if I hit him, the arrangement seemed for the time to be satisfactory to me; but if he hit me—and being a larger mark, I think that would be more probable—it would take a good deal longer than the two months, or four months, of convalescence, for me to reason out the

satisfactoriness of the arrangement by which my honor was satisfied by his shooting me.

Now, at common law, if one man sued another on a promissory note or a bond, and the defendant came into court and was a little short of witnesses, and the issue raised was, whether he had ever made the note, or if he had made it whether he had paid it, the defendant could demand wager of battle. Then the judge handed out or had somebody hand out for him two swords, and the defendant and the plaintiff went at each other, and if the defendant cut off the head, or the hand, or the arm, or in any way rendered helpless the plaintiff, that proved either that the defendant had never made the note, or if he had made it, that he had paid it. They discontinued that several hundred years ago; but I should like to have you take home with you the question, in what regard that method of settling the issues in a court of law differs from the method of settling issues now between the nations. If the analogy is not exact, I do not know what an analogy is. We ought to find some way to avoid resort to the ridiculous method we now have of settling international controversies.

Certainly when reference to the old way of settling an issue in court awakens our ridicule it ought at the same time to awaken our shame that we have not, up to now, found some wiser method of settling international controversies which present precisely the same kind of issues.

I believe the arbitral court to be the solution of the difficulty; and when I say "arbitral court," I mean a court whose jurisdiction and power are established by joint agreement of all nations, a court into which one nation may summon another for a hearing upon a complaint and for a judgment, and may rely upon the judgment being carried out through the public opinion of the nations, or by an auxiliary force, if necessary. When we have such an arbitral court, then disarmament will follow.

Now then, if we are going to take a step in that direction, if we are going to take up arbitration between nations *seriously*, if we hope first to make such treaties of arbitration with all

the world and later see the world of nations make such treaties with each other, then, my friends, in order to make a real step forward we ought to make an arbitration treaty that means something; and we ought to make it "for keeps." We ought to make it like the medicine that the Indian desired, something that bites when it goes down because the Indian does not believe that otherwise the cure will be effective.

Arbitration cannot result in victory for both parties. Somebody has got to be beaten. We cannot play "Heads I win, tails you lose." We have got to have the people accept the fact that sometimes we may be beaten. We ought not to arrange something with a string to it so that when we think we are going to lose we can back out of arbitration and open up the possibility of war. We ought to put ourselves in such a situation that sometimes it will hurt us; we ought to subscribe to and carry out the treaty and stand to its terms. If we do not, then we are not making any progress. Therefore, while I appreciate the sensitiveness of the Senate with respect to this, and while I regard that feeling with respectful consideration, I think, nevertheless, that it is mistaken. I believe that we can well afford to go ahead and occasionally lose an arbitration in the general cause of the peace of the world.

We are a just nation. We are not likely to get into difficulties without just cause. But sometimes we may, and if we do, we ought to be willing to stand up and take the consequences or not go into arbitration at all. It is all right to advocate peace and arbitration from the platform, and it is all right to have peace societies and conventions pass resolutions, and all that sort of thing; but unless we are willing to put ourselves in a place where we may be prejudiced sometimes by an arbitration, then the arbitration we agree to is not one of those real steps forward in the progress of civilization that we ought to urge.

Just here I am reminded that certain objections which I have not considered are advanced against the greater treaties. One is the Monroe Doctrine. The answer is that that doctrine does not come within the description of a justiciable matter. Sir

Edward Grey said so on the floor of Parliament, and John Bassett Moore, an eminent authority on international law, has said the same thing.

Again, it is urged that an attempt may be made to arbitrate a question of immigration and that some undesirable race might thus be forced upon us. Well, it is a first principle of international law that each country shall decide for itself what aliens shall come within its borders. Congress could exclude if it chose—I give the instance only to show the arbitrary character of the power—all baldheaded immigrants, or all red-headed immigrants. Therefore, unless we bind ourselves by treaty there is no possible way of forcing the reference of such a question to arbitration.

So it is with respect to the tariff. We have a right to exclude anything from coming into the country, or to impose any conditions upon its coming in; therefore, they could not force us to arbitrate the question of the tariff. Other questions might be mentioned the reference of which to arbitration might embarrass us. Personally I am willing to be embarrassed. I think we ought to come to a point where we will not take positions that cannot be sustained under the rules of law and equity. But I realize that there is a strong feeling the other way; and we have not gone to that extent in these treaties. We are making progress by them, and if we ratify them we will have taken a long step forward; and having taken that step, then we can look about to see what step we can take next in order to make surer the coming of that arbitral court for which this Society is founded, and in the prosecution of which object I think all good men ought to help.

Union for World Peace: Speech in the House of Commons, March 13, 1911.

Sir Edward Grey.

The growth of civilization ought surely to have lessened and not increased naval and military expenditure. Until the world is all equally civilized, the most highly civilized nations must, of course, under all circumstances have the power to protect themselves against those who are less advanced. But the paradox remains that their expenditure on armaments is not directed against the most backward nations—it is, I will not say directed against, but it is entered upon by nations in rivalry with each other. Unless the incongruity and mischief are brought home, not only to men's heads generally, but to their feelings, so that they resent the inconsistency and realize the danger of it—if this tremendous expenditure on armaments goes on it must in the long run break down civilization.

You are having this great burden of force piled up in times of peace, and if it goes on increasing by leaps and bounds, as it has done in the last generation, in time it will become intolerable, There are those who think it will lead to war, precisely because it is becoming intolerable. I think it is much more likely the burden will be dissipated by internal revolution—not by nations fighting against each other, but by the revolt of masses of men against taxation.

When I speak of a revolt against naval and military expenditure, I think that revolt will not come till the taxation presses directly upon those classes for whom existence at the best must be a struggle. When you begin to make hunger by taxation sooner or later, and the naval and military expenditure of every country goes on increasing, then you will be within measurable distance of a revolt which will put a stop to it. That is the direction in which the great countries of the world are tending. But a greater danger than that of war is the danger which I once called from the bench on the other

side of the House the danger of bleeding to death in time of peace. I admit that, if no relief is found, this evil of naval and military expenditure generally may go on increasing for some years before the consequences to which I have referred inevitably must be reached; but I hope that some way out may be found.

I can conceive but one thing which will really affect the military and naval expenditure of the world on the wholesale scale on which it must be affected if there is to be a real and sure relief. You will not get it until nations do what individuals have done—come to regard an appeal to the law as the natural course for nations instead of an appeal to force. Public opinion has been moving; the number of arbitrations has been increasing; but you must take a large step further before the increase of arbitration will really affect this increase of expenditure on armaments. I should perhaps have thought that I was not spending the time of the House in asking them to look to arbitration as something which could really touch this great expenditure had it not been that twice within the last twelve months, once in March and again in December, the President of the United States has sketched out a step in advance in arbitration more momentous than anything that any practical statesman in his position has ventured to say before, pregnant with very far-reaching consequences.

I should like to quote two statements by the President of the United States. Here is the first:

"Personally I do not see any reason why matters of national honor should not be referred to Courts of Arbitration as matters of private or national property are. I know that is going further than most men are willing to go, but I do not see why questions of honor should not be submitted to tribunals composed of men of honor who understand questions of national honor, to abide by their decision as well as in other questions of difference arising between nations."

The other statement is:

"If we can negotiate and put through private agreements with some other nation to abide by the adjudication of International Arbitration Courts in every issue which cannot be settled by negotiations, no matter what it involves, whether honor, territory, or money, we shall have made a long step forward by demonstrating that it is possible for two nations at least to establish between them the same system which, through the process of law, has existed between individuals under government."

Sir, these are bold and courageous words. We have no proposal before us, and unless public opinion will rise to the level of discussing a proposal of that kind, not with reference to charges of inconsistency, not with reference to what one nation or the other is going to gain practically by some agreement, but unless they will rise to the height of discussing it as a great movement in the opinion of the world, it cannot be carried out. But supposing it took place. Supposing two of the greatest nations in the world were to make it clear to the whole world that by an agreement of such a character under no circumstances were they going to war again, I venture to say that the effect on the world at large of the example would be one that would be bound to have beneficent consequences. It is true that the two nations might still be exposed to attack by a third nation not in the agreement. I think it would probably lead to their following it up by an agreement that they would join with each other in any case in which one only had a quarrel with the third Power in which arbitration was refused. More and more the tendency which is growing in the world to recognize that war between two great countries must not only be a serious thing for them, but must be a serious thing for neutral Powers through the disturbance it causes, more and more it would tend that nations would come to the conclusion as between themselves that they were not going to fight, but that is was their interest to join together to keep the peace of the world.

I have spoken of that because I do not think that a statement of that kind put forward by a man in the position of the President of the United States should go without response. Entering into an agreement of that kind there would be great risks. It would entail certain risk for us to refer everything to arbitration, and as the President of the United States has said, we must be prepared to take certain risks and to make some sacrifice of national pride. When agreement of that kind, so sweeping as it is, is proposed to us, we shall be delighted to have such a proposal. But I should feel it was something so momentous and so far-reaching in its possible consequence

that it would require, not only the signature of both governments, but the deliberate and decided sanction of Parliament, and that, I believe, would be obtained.

The great nations of the world are in bondage to their armies and navies at the present moment—increasing bondage. It does not seem to me impossible that in some future years they may discover, as individuals have discovered, that law is a better remedy than force, and that, in all the time they have been in bondage to this tremendous expenditure, the prison door has been locked on the inside. If you think that visionary, and not in the region of practical politics, I reply that, at any rate, we ought not to leave what the President of the United States has said without response. It is a response not to proposals, because we have no proposals before us, but it is a response to the idea.

Should Any National Dispute be Reserved from Arbitration?

Jackson H. Ralston.

What is honor, about which nations hesitate to arbitrate? For theft, for murder, we have a definite measure, born of the universal conscience, the same yesterday, to-day and forever; but honor, as the term is applied, is a mental concept varying with the mood of the times. He who accuses my honor does not rob me. Honor is only to be lost by my personal act. The impeachment of my honor may call for self-examination to determine whether the accusation be well founded. The death of the offender does not adjudicate the falsehood of the accusation.

But if the delivery of an insult be considered to be an impeachment of honor, should the reply come in the shape of war? If a man or a nation is insulted, as we term it, is the insult extinguished by the death of the insulter? Does not his killing convict us rather of want of discretion and temper? Is not the best answer a well-ordered life and established good reputation? Should not other resort be forbidden to us

than declination of further relations with the offender, who, individual or nation, has merely sinned against good manners?

A reservation of independence as not the subject of arbitration seems, on analysis, meaningless though harmless. Arbitration postulates an agreement between equals. Questioning the independence of one party or the other involves a doubt as to their equality and is foreign to the idea of arbitration.

When we treat of vital interests we touch a subject never properly to be withdrawn from arbitration. What are vital interests? They are to-day whatever the nation declares to be such and withdraws from arbitration. The so-called vital interests are matters of commerce, trade and politics. As to matters of trade and commerce, we shall submit that their advancement as a basis for vital interests is founded upon a misconception of the purposes of government. As I take it, governments are formed to preserve the true liberty of the individual, to protect him in his rights of person and, as subordinate to his rights of person, his rights of property. They are not formed to extend and develop commerce and trade as such. Properly speaking, no nation has political interests beyond its own borders, and, were we to enter upon the reign of arbitration, no question of political interest, as we shall attempt to demonstrate, could properly arise.

Politically speaking, vital interests are, when analyzed, found to be based upon either a desire to ultimately possess something now belonging to another or a fear that a strong nation may violently so enlarge itself as to endanger us. With the thorough establishment of unrestricted arbitration we will not be able to indulge our predatory instincts at the expense of our neighbors. With such condition we will not fear lest another nation so aggrandize itself by violence as to be a source of danger to us. At one and the same time we would restrain our own unjust acquisitiveness and we would lose our fear. The thorough establishment, therefore, of arbitration means the cancellation of the term "vital interests" as applied to politics.

Can we hope for justice from arbitration? We might, in view of the course of our discussion, respond by asking, Has justice been obtained from war? Long ago legislators found that the wager of battle failed to secure justice as between man and man. Without lengthening the discussion, we may believe that armed conflict has not on the whole advanced the rule of right. When at one time war has served to check inordinate ambition, at as many others it has furthered its purposes. We may concede that in private matters justice has often gone forward with halting steps, has even at times seemed to go backward; yet who among us would dispense with the conclusions of judge and jury and revive the wager of battle?

From the beginning, with the advantage of national precedents and experiences, we may expect arbitration to bring us approximate justice. That always exact justice should be rendered may not be expected. The members of our Supreme Court, differing as they frequently do most vitally, will not say that this tribunal has never erred. But, despite the possibility of error, we find that order and the well-being of the community must be maintained even at the chance of individual injustice, a chance which no human skill can eliminate.

But arbitral history leads us to the conclusion that more than an approximation of right may be expected, that a tribunal which is the centre of observation by the whole world will seek to give, and will give, a judgment as nearly righteous as may be. In the whole history of arbitrations but one has ever been suspected of corruption, and, by joint agreement, its findings were reviewed. Slight criticism may be made of the generality of other like tribunals. To-day, doubtless, even the English will agree that the findings of the Alabama Joint High Commission were just.

Of the four arbitral sentences given by the Permanent Court of Arbitration at The Hague, but one—that in the Venezuelan Preferential Case—has received serious criticism. Even in this case judicial settlement, though perhaps erroneous, was immensely valuable.

Atlantic Monthly. 97: 721-7. June, 1906.

Hague Conferences and the Future of Arbitration.

Benjamin F. Trueblood.

Any one who has carefully followed the arbitration movement during the decade since 1895, including the work and results of the Hague Conference, to say nothing of the nearly two hundred cases of dispute settled by this means in the previous eighty years, knows that arbitration can no longer fairly be spoken of as an experiment. One still frequently hears the remark, made by otherwise intelligent persons who have given no serious attention to this subject, that a *beginning* has been made, and that in some future, more or less remote, we may reasonably expect arbitration to prevail largely in the settlement of disputes between nations.

The fact is that arbitration is not any longer an experiment, nor even a series of experiments, as these belated wiseacres would have us believe. It is now the settled practice of the civilized nations when disputes arise between them, and is universally recognized in international law. A government which will not try arbitration before resorting to arms is, in these days, scarcely considered respectable. War, instead of being the general practice of nations, as it was a century ago, when serious disputes arose between them, is no longer resorted to except in rare instances, and in most of these instances the causes run far back into the past, and have created strong prejudices and deeply rooted feelings of distrust and animosity which do not readily yield to rational pacific treatment. During the decade of which we are speaking, there have been four wars: the China-Japan War, the Spanish-American-Phillippine War, the Boer War, and the Russo-Japanese War; or nine, if we add to these the Boxer conflict in China, the German War in Southwestern Africa, still going on, the Venezuela Blockade, the Thibet Expedition, and the bloodless Panama Revolution. But during this same period there have

been almost a hundred settlements by arbitration. All of these have been important, and some of them of the most difficult and delicate character; as, for example, the boundary dispute between Chile and the Argentine Republic, the British-Venezuelan boundary dispute, the Alaska boundary controversy, and the North Sea incident between Great Britain and Russia, which, though adjusted by a commission of inquiry, was really an arbitration of the first order. Arbitration is now always spoken of and urgently demanded by a vast constituency in connection with every serious international difficulty, as in the case of the Russo-Japanese conflict. The fact that this, with other pacific means, succeeds in the vast majority of instances in preventing hostilities, makes it far within reason to say that the principle has already won its case at the bar of general public opinion, and that the adjustment, or attempted adjustment, of disputes between nations by the cruel and irrational method of war has become very difficult, and, for a number of the most civilized powers, henceforth practically impossible. The weight of this fact cannot be overcome by citing the vast and costly armaments of the great powers, which are bigger and more burdensome than at any previous period. These armaments are bad and ruinous enough, certainly; but they are not war, and the day is not far off when arbitration and the movement of which it is a potent part will begin to make effective inroads upon them, as it has already made upon actual warfare.

The development of the arbitration movement during the past two and a half years along the line of treaties of obligatory arbitration is most interesting and instructive. This phase of the movement was brought about by the feeling that the Hague Convention, though it went as far as was possible at the time, was defective in not providing for the obligatory reference of at least certain classes of cases to the Permanent Court. The first of these treaties of obligatory arbitration, that between France and Great Britain, signed on the 14th of October, 1903, was brought about, or at least its conclusion hastened, by the action of a number of business men in France and Great Britain, led by Dr. (now Sir) Thomas Barclay, and the leaders

of the arbitration movement in both the French and the British Parliaments, as a sequel to the war scare produced by the Fashoda incident and the consequent threatened derangement on a colossal scale of the commercial relations between the two countries. This treaty, pledging the submission for five years to the Hague Court of all questions, of a judicial order and those arising from the interpretation of treaties, was the first of its kind ever entered into by two first-class powers.

The Argentine-Chile treaty had preceded it by a few months, but the two South American powers were of an inferior rank, and their convention did not stipulate reference to the Hague Court, to the convention establishing which neither of them was a signatory. Since the signing of the Anglo-French treaty no less than forty-two similar treaties have been signed and ratified, or are in process of ratification, many of these having been concluded within the past twelve months. These treaties have created a peace bond between the group of powers which are parties to them, the importance and strength of which it is nearly impossible to overestimate. Great Britain is a party to ten of them, France to seven, Germany to one, Italy to six, Spain to five, Austria-Hungary to three, Russia to three, the Netherlands to four, Norway to eight, Sweden to eight, Switzerland to seven, Portugal to six, Denmark to seven, Belgium to seven, Roumania to one, Greece to one, Colombia to one, and Peru, Brazil, Chile, and the Argentine Republic to two each. This list does not include the eleven treaties signed by the late Secretary of State Hay, which, though supported by the insistent and nearly unanimous public opinion of the nation, failed to go into effect because of the disagreement between the President and the Senate. These treaties were with France, Germany, Switzerland, Portugal, Great Britain, Italy, Sweden and Norway, Japan, Spain, Mexico, and Austria-Hungary.

It is worthy of note, that among the treaties which have gone or are going into effect, that between Denmark and the Netherlands is without limitations. It pledges henceforth the reference of all disputes between the two governments to the

Hague Court. The government of Denmark, since signing this first unlimited convention, has made a strong effort to have its other arbitration treaties drawn along the same lines, but has thus far succeeded with Italy only. These two conventions constitute the highwater mark of the arbitration movement, though possibly the recent treaty between Sweden and Norway, concluded since their separation, deserves to be linked with them. This convention is to run for ten years, and though it reserves questions affecting the independence, the vital interests, and the honor of the nations, it is unique in the fact that it provides that, if any question shall arise which either government may hold to be of this character, the question shall be referred for determination to the Hague Court. This action of the two Scandinavian countries, whose peaceful separation constitutes one of the most remarkable events in modern history, represents a distinct and significant advance toward the ultimate goal of the universal arbitration of all disputes. None of the great powers have yet seemed willing to pledge themselves to refer questions affecting their vital interest or their honor to arbitration, though it is difficult to see on what ground they have made these exceptions. Any serious differences whatever between two governments is certainly intimately related with their vital interests and honor, and it is not possible to conceive of any disputes more nearly affecting nations in this respect than many of the important controversies which have been settled by pacific methods during the past half-century. If this be true, the action of Sweden and Norway will in time be followed by the governments of the first as well as of the second rank, and the permanent International Court will be held to be, if not the only, at least the supreme and final means for determining where international right, justice, and honor lie in every sort of controversy.

Hague Peace System in Operation.

James L. Tryon.

For some time after the permanent court was created and its panel of judges appointed, there was a feeling that it might never be used. One of the reasons why provision was not made for the court to go into regular annual session was a fear entertained by the members of the First Hague Conference that, if it should hold sessions, but have no cases, it would be discredited in the public estimation as a farce. The court, however, was destined to live and not to die. It was given its first case through the influence of President Roosevelt. This is known as the Pious Fund Case.

The trial of this case showed how the new institution worked. The case has a history. In the latter part of the seventeenth and early part of the eighteenth century, some good people of Spain gave in trust to the Society of Jesus about $1,700,000 for the conversion of heathen in California. When the Jesuit order was excluded from Spain (1767), and suppressed by the Pope (1773), the Spanish Government took over the fund and administered it for the donors. Later, when the government of Mexico was established, it succeeded to the fund, merged it with other national funds, and paid a regular annuity on it to the Catholic Church authorities in California. After the cession of California to the United States at the close of the Mexican War, the American Catholic authorities in California claimed the annuities enjoyed by their predecessors. Being unable to get them, they appealed to the United States Government for its intervention. The matter of the claim was referred, in 1869, to a mixed commission appointed to settle cross claims between the two countries. The commissioners disagreed as to the claim which was then referred to Sir Edward Thornton as umpire, who in 1875 awarded to the United States Government twenty-one annuities of $43,050.99 each up to 1869. The Mexican Government paid the award, but declared that it constituted a final settlement. The church authorities, on the other hand,

maintained that the annuities should continue and again asked the assistance of the United States Government to secure them. Correspondence between the Mexican and the American Governments resulted in disagreement. It was at this point, on March 13, 1902, while the Hague Court was lying idle, that President Roosevelt suggested, through Secretary Hay and Ambassador Clayton to the Mexican Government, that the two greatest American republics ought to have the honor of giving the Hague Court its first case, and should avail themselves of the opportunity open to them before any other nations should take advantage of it. The suggestion was adopted. A tribunal was chosen from the Hague panel, none of whose members was, however, a subject of the litigating states.

The question was put to the tribunal whether the claim of the United States, based on Sir Edward Thornton's award, was within the governing principle of *res judicata*, and, if not whether it was just; the tribunal to render a just and equitable award. The arguments were duly presented before the court at the Hague and, in a short time, a decision was made that the award was governed by the principle of *res judicata*, as contended by the United States, and Mexico was held responsible for a continuance of the annuities. The United Mexican States were ordered to pay to the United States of America $1,420,-682.67 in accumulated annuities, and $43,050.99, perpetually, on the second day of February, in Mexican legal currency. The decision of the Hague Court settled the differences to the satisfaction of both parties to the controversy. It reaffirmed *res judicata* as a principle of international law, but, more than that, established the international court in the public confidence.

The case is also interesting from the fact that it throws light upon the procedure used before the Hague Court. Mr. Penfield, counsel for the United States, speaking of this at the Mohonk Conference of 1903 (Report, p.87), observed:

> That the issues submitted by the arbitrating states to the Hague Court were joined and tried in essentially the same manner as the issues in law-suits before the municipal courts.
>
> There is, first, the transaction which begets the controversy. This results in conflicting contentions and arguments between the parties until the ultimate issues of law and fact are evolved and reduced to written form. Then the case is brought before the

appointed court, to whom the statements of the case and the evidence on either side are submitted. On the hearing, the one having the affirmative opens and is followed by the adversary. The court holds stated sessions, decides incidental questions of procedure, finally declares the hearings closed, then deliberates and renders solemn judgment. In short, the principles of judicial procedure are essentially the same, whether before the Roman praetor, the civil courts of Germany, France, Italy, Spain or South America, or before the English or American judge or magistrate, or the supreme court of the state, or the supreme court of nations.

Two other cases soon came before the court which were of less significance, but tended to perpetuate it as a regular institution. One of these, the Japanese House Tax Case, was between Great Britain, France, and Germany on the one side, and Japan on the other. It was a question of taxation which related to the interpretation of treaties and other engagements by which these foreign governments held property under perpetual leases in the foreign concessions of Japan. The decision was rendered that, under the leases in question, not only were the lands, leased by foreigners in the concessions, but the buildings as well, exempted from taxation. In this case the Japanese arbitrator dissented.

Disputes having arisen between France and Great Britain over the extent to which the subjects of the Sultan of Muscat might, under an agreement made March 10, 1862, use the French flag on their vessels, and the nature and extent of other privileges granted, a case was made up for the court.

The decision defined the limits and conditions under which the Dhows were authorized to fly the French flag. As it had been alleged that the French flag was wrongly used to protect illegal trade in arms and slaves, serious trouble had been caused between the British and French governments, "which," says Dr. Darby (International Tribunals, page 906) "sometimes brought the two Powers within an ace of war."

Both cases showed that the court could successfully deal with the interpretation of treaties.

A more notable case than either of these was that known as the Venezuela Preferential Payment Case. Germany, Great Britain, and Italy held diplomatic claims against Venezuela for unpaid interest on public debts due their bond holders for money lent for building railways, other works of a public na-

ture, special contracts, and on account of claims for injuries to their subjects during the disorders of revolutions. Germany proposed arbitration. Venezuela refused. Great Britain also proposed arbitration, but her offer was rejected. Italy wanted her claims adjusted, but was willing to accept the decision of a mixed commission. The offer was ignored. But it should be said that Venezuela insisted that her own laws were conclusive as to the matters in dispute.

Notice was given to the United States by Germany that it was her intention to blockade Venezuelan ports to enforce her claims, but it was expressly stated that there was no intention of taking territory. The United States Government made no objection at the course of action determined upon, but refused to acquiesce when Germany, joined by Great Britain and Italy, established an anomalous pacific blockade. The form of the blockade was then changed from pacific to hostile, applied to all nations in the usual way, and was duly recognized by their attitude of neutrality. Within a day or two after the blockade began, Venezuela herself offered to arbitrate, but her belated courtesy was ignored. At this point, the government of Venezuela, assisted by the advice of her plenipotentiary, Herbert W. Bowen, agreed to assign, in payment of her debts to Germany, Great Britain and Italy, duties to the extent of thirty per cent from the customs receipts of La Guaira and Puerto Cabello, and made some payments to those powers.

Other powers who had claims against Venezuela made peaceful demands for their share of payments. The question then arose whether the blockading powers should be given preference. The powers offered to refer the question to President Roosevelt, but he again proposed resort to the Hague Court. The case went to it and was decided in favor of the blockading powers, but the matter of the actual value of the respective claims of all the creditor powers was, by agreement, submitted to mixed commissions, consisting of one national each, of Venezuela and the claimant nation, with a neutral as umpire, which met at Caracas and subsequently reported their awards.

Some question arose later as to the ethics of the decision. The statement was made that it put a premium on war-like methods instead of peaceful recourse to the law, but the critics of the court perhaps forgot that, in the present state of international law, a hostile blockade is a legitimate operation just as war itself is still legitimate, to which no protest was made by any of the interested peaceful powers before it was instituted, though notice of it had been given in advance. The judges in their decision took pains to point out this lack of protest by the non-blockading powers.

Professor Moore, at Lake Mohonk, in commenting upon this decision (Report, 1904, p. 64), says:

> In judicially deciding, therefore, that the blockading powers had by their forcible action acquired preferential position, which, but for their agreeing to submit the question to arbitration, they would have gone on to make effective, the Hague Tribunal merely declared and applied, as it was in duty bound to do, the existing international law. The Hague Tribunal is a judicial, not a legislative, body.

The moral aspect of this case was perhaps even more important than the legal. The fact was that three heavily armed powers had raised their hands and were about to strike a blow, when an agreement was reached by which it was possible to avoid serious hostilities by submitting the issue involved to the Hague Court. Not only that, but eleven nations, thirteen including Russia and Austria, who furnished the judges, representing about four hundred and fifty million people, committed themselves at one time to the use of the court for a peaceful settlement instead of war.

A few years ago, it would have been thought a crazy notion of the peace advocates had anybody suggested that a dispute between France and Germany, on a sensitive point of honor, could be referred to a court of arbitration, but a tribunal at the Hague settled to satisfaction a remarkable case of this kind in 1909. It is known as the Casablanca Incident.

Six soldiers from the French foreign legion in Morocco deserted, and secured by improper means a safe conduct home from the German consul. They were forcibly taken from his protection by French soldiers who arrested them September

25, 1908, having threatened and fired upon the native Moroccan guard who had the men in charge.

Diplomatic representatives of the two governments failing to come to a satisfactory understanding, the dispute was referred to the Hague Court. The tribunal partook somewhat of the character of an international commission of inquiry. It was empowered to decide questions of law and fact, and authorized to go, or send a delegate, to the scene of the incident in order to secure facts if necessary.

The decision of the tribunal implicated both sides in technical errors, but it was couched in language that could offend the honor of neither nation. The substance of it was that the German consul should not have given safe conduct to the deserters, but that the French military authorities should have endeavored, as far as possible, to obtain possession of the deserters without the use of force, the excessive display of which, on this occasion was criticised. The deserters, however, were left in possession of the French, the tribunal not passing judgment upon this point, and each government, according to previous agreement, apologized to the other for its mistakes.

These cases show a growing tendency of the governments to refer to the court a variety of difficulties. Some of these had already led to bad feeling and might, without adjustment, have become dangerous irritants between the peoples, represented by the governments, and formed a part of an accumulation of grievances liable to be recalled in a moment of national passion, over some new and unexpected incident. Failure to pay debts, as already seen in the first case of Venezuela, has led to the use of the military arm, but this is not all. The use of the court is not only for the prevention of war, but for the upholding of justice, without which a scheme for the prevention of war might, on some grounds, become open to criticism. The fact that the court secures justice where otherwise justice might be delayed or never realized, with war or without war; this aspect of the Hague peace system, peace with justice, is a virtue that cannot fail to commend it even to believers in war for virtue's sake. This point is more par-

ticularly illustrated by the Fisheries Case, which, from its historic nature, deserves more extended consideration.

The settlement by the Hague Court of the North Atlantic fisheries question closed a controversy that had perplexed British and American statesmen, at different times, for seventy years.

By the treaty of peace, 1783, practically all the British coasts of North America were left open to American fishermen to dry fish on, except those of Newfoundland, but Americans were allowed to take fish in all British coastal waters, as had been the custom in colonial days. When, however, at the close of the war of 1812, terms of peace were made at Ghent, the British Government asserted, and the United States commissioners denied, that the war had abrogated the fisheries article of the former treaty, and no mention of the fisheries was made in that treaty. The action of British war vessels led to vehement protests and threats of war. Diplomatic correspondence followed, at the end of which both parties came to an agreement by the treaty of London, 1818, the first article of which relates to the fisheries. By this treaty, it was agreed that the United States should have perpetual liberty to take fish on certain coasts of Newfoundland and the Magdalen Islands, and on certain coasts of Labrador, in common with British subjects. The treaty also gave the American fishermen the liberty to dry and cure fish on certain unsettled shores within limits described on the Newfoundland and Labrador coasts, subject to agreement with inhabitants and proprietors whenever, in the future, those shores should be settled. The United States renounced their libetry before enjoyed, or claimed, to take or dry or cure fish within three marine miles of any other of the coasts, bays, creeks or harbors of His Majesty's Dominions in America, but it was agreed that American fishermen might enter such waters "for the purpose of shelter and repairing damage therein, of purchasing wood, and of obtaining water, and for no other purpose whatever." And it was provided that regulations be made to prevent the abuse of such privileges granted on these, sometimes called the non-treaty, coasts.

If there was a marked difference between the fisheries provisions of the treaty of 1783 and those of 1818, it was due, in part, to the fact that conditions had changed in the interval, owing to the settlement and growth of the British colonies affected by the treaties, and the value to those colonies of the local fisheries, of which they had begun to make use. The treaty of 1818 was well calculated to recognize these changes, but, as Mr. Robert Lansing who has written a very able account of the fisheries case, observes, it did not consider future growth. Indeed, had it done so there might never have been a fisheries arbitration. Conditions continued to change, especially in Newfoundland, which in early days was practically a closed country to settlers, but which in late years has been opened up to settlement. Inhabitants of Newfoundland and the Maritime Provinces began to look upon their enterprising New England rivals with jealous eyes, and, in the case of Newfoundland, with good reason, because the fisheries were its sole dependence, and, in any event, deserved proper protection.

Considerable irritation arose which finally led, on the part of Canada, but more particularly Newfoundland, to the making of rigorous local laws, by which Americans were seriously restricted as to days, seasons, and the manner of taking fish. They were penalized for shipping Newfoundland fishermen, and were made to enter and clear at customs houses, although these houses were at a long distance from the scene of fishing, and although the fishermen were not engaged in trading. American fishermen were also compelled to pay light and harbor dues. Similar requirements were made of American fishing vessels resorting to non-treaty coasts for the legitimate purpose of making repairs, seeking shelter, and obtaining wood and water.

Although the irritation of the early days was allayed by the reciprocity treaties of 1854 and 1871, and, although since the failure of the Bayard-Chamberlain treaty of 1888 from non-ratification by the Senate, peaceful and, to a certain extent, satisfactory relations had been maintained by a system of licenses granted by both Canada and Newfoundland, an oppres-

sive and discriminating statute was made by Newfoundland against American fishermen in 1905. Diplomatic correspondence, between Great Britain and the United States, followed, pending the result of which American fishermen visited Newfoundland coasts under a *modus vivendi*. War was not threatening, but continuous friction, liable to lead to dangerous trouble, and to cause serious financial loss to the fishing interests of the United States, made a settlement desirable.

The case was finally referred for settlement to the Hague Court under the general arbitration treaty with Great Britain by special agreement of January 27, 1909. Seven questions, prepared in the light of vexatious differences of the past, were submitted to the tribunal, which in effect, called for a detailed interpretation of the fisheries article of the treaty of 1818, which was still in force.

The principle question related to the reasonableness of the fisheries regulations. The United States, conceiving that they enjoyed the liberty of the fisheries in common with British subjects, though under limitations defined by the treaty, believed they should be consulted when regulations were made, and that their concurrence was necessary to the enforcement of the regulations. This question involved the sovereignty of Great Britain and she denied the contention of the United States. The tribunal, on the point of law, decided for Great Britain, and, therefore, technically saved her sovereignty which otherwise would have been impaired, but ruled that the regulations should be reasonable and equitable, and that, in case of disagreement as to their reasonableness or fairness, the points at issue should be referred to a special body of experts consisting of one subject of each party, with a neutral to act as umpire; the procedure to be similar to that provided for in summary cases by the Hague Conference of 1907. The tribunal decided that the words "inhabitants of the United States" in the treaty of 1818 did not prevent the prosecution of the fishery by the employment of Newfoundland and other foreign fishermen. It decided that American fishing vessels, going to a treaty coast to fish or to dry and cure fish; or to non-

treaty coasts for shelter, repairs, wood, or water, should not be required to enter and clear at customs houses, but recommended that they should report their presence, if convenient means were at hand to do so: namely, a customs house or a customs official who could be reached by telegraph, and declared that light and harbor dues should not be charged unless Newfoundland fishermen were also required to pay them.

The tribunal was asked to pass upon the historic question of the "three mile limit" (question five), but, though it overthrew the contention of the United States, it did so only in a qualified form. It decided that the word "bays," as used in the treaty of 1818, meant those bodies of water commonly known and charted as bays at that time, and did not mean bays, six miles wide at the mouth, or jurisdictional bays, as claimed by the United States; and, as international law in 1818 did not definitely fix the point at which a bay terminated and the high seas began, the tribunal laid down no definite rule. It suggested, however, that the principle of the North Sea Convention, that the high sea should terminate and a bay begin where the shores first approach each other within ten miles, should be adopted, but excepted from this recommendation such bays as deeply indented his Majesty's Dominions, and suggested that their limits be arbitrarily defined along the lines of the unratified Bayard-Chamberlain treaty of 1888. Examples of such bays are Chaleur, Placentia, Egemont, and Fortune. Dr. Drago, who in an ably written opinion, dissented from this view, asserted that the ten mile limit should be established as a part of the decision, and not as a recommendation. Of this question (five), it is felt that the tribunal failed to make a practical solution. A special contention of the government of Newfoundland that the wording of the treaty precluded the American fishermen from entering the bays, creeks, harbors, etc., of Newfoundland on the treaty coasts, as the words "bays, harbors, and creeks" were not expressly used in the treaty in regard to Newfoundland by itself, was denied by the tribunal. The effect of this particular decision is of great importance to the winter herring fishing of the United States, which otherwise, under the ingenious restrict-

ive interpretation of Sir Robert Bond, might have been ruined or seriously crippled.

The tribunal decided that the inhabitants of the United States may engage in trade or fishing on the treaty coasts, but may not use both privileges on the same voyage. The decision, however, does not prevent a vessel from going to the treaty coasts for trading purposes, and having finished its business, engaging, under license, in fishing on the homeward voyage.

The decision of the tribunal, on one point of question one, and on question five, denied the contention of the United States, and gave to the government of Great Britain a technical victory, saving its sovereignty; but, on the second contention of question one, and on five other questions, declared a rule in favor of the United States. From an industrial point of view, the United States gained a substantial victory, as the tribunal required that fisheries regulations should, hereafter, be reasonable and fair, and admitted American fishermen to Newfoundland waters from which an attempt was made to debar them. The decision, however, has proved acceptable to both governments and to their peoples. The case will stand with the Geneva award in the category of the greatest of international arbitrations.

The fisheries arbitration and the eight arbitrations of the Hague Court, in about one decade of its existence, the use of the international commission of inquiry in dealing with the North Sea incident, and the mediation of President Roosevelt in the war between Russia and Japan, have shown that some features of the Hague peace system have already proved their practical success, and justified belief in the feasibility of the system as a whole.

American Love of Peace and European Skepticism.

Paul S. Reinsch.

The form of our government, as well as the spirit engendered of our experience, naturally predisposes us to favor friendly relations and the peaceful solutions of difficulties.

Our nation contains in itself a great diversity of local character and interest, all balanced, held together, and made to co-operate for the common good by a federal system based upon law. When we consider the differences that have developed in the character and the methods of individual commonwealths in the United States even under the federal system, it will be easy for us to evoke a picture of the intense rivalry, bitter hostilities, the suspicions, dangers, and fears that would abound on our continent were each of these commonwealths fitted out with the complete machinery of political independence so that its most petty and selfish interests might control its action. What commercial warfare, what impediments to enterprise by citizens of another state, what artificial hindrances to great undertakings would such a situation make possible! From all this we have happily escaped through the development of a system which, while it respects local needs and characteristics, subordinates them to a proper interest in the development of the national life, which may be said to be equivalent to humanity in its aims, no matter how far even it may at times have been deflected through selfish interests. So the experience of the federal system of government has accustomed us to seeing conflicts of interest, important enough to have stirred up the flame of war under different conditions, settled by the simple and normal means of recourse to law. Under the aegis of this protection our national life has assumed the reach and development in which we rightfully rejoice. The significance of American political experience in this respect is just beginning to dawn upon Europe and our constitutional history is now being studied by many abroad, not only for the purpose of gaining an understanding of our national life, but for the lessons it contains in regard to the possibility of organizing world-wide interests upon a basis of co-operation and recourse to law.

But it yet remains for us to speak of the most fundamental concept of American political life which is also exactly that principle from which our advocacy of international peace and arbitration springs most directly and derives its greatest

strength. The federal system, as already indicated, is an expression of that sense of respect for law, of the willingness to let law decide even the most important conflicts of interest, which has always characterized American political life. This feeling of the importance of lawful solutions manifests itself in a respect for courts which borders upon veneration. With this feeling of respect for the law, with this long experience of the advantage of having even the most important controversies settled by legal means, our nation comes very naturally to appreciate the benefits which would result were this principle applied to conflicts of international scope; in nearly all cases these questions are no more important nor more difficult of rational settlement than those which in the past have been successfully adjusted by our high tribunals. As under the rule of law our national welfare has been developed and our prosperity has advanced by leaps and bounds, we are convinced that the whole world and every individual nation would benefit by a similar normalization of international affairs through recourse to legal arbitration.

In our advocacy of international institutions we have gained only the less important goal should we achieve the establishment of a judicature empowered to enforce the law as it is plainly recognized by all. If we are to deprive war more completely of its *raison d'etre,* it will be necessary that there be found methods of developing international law so as to make it correspond to the vital needs of mankind and to render recurrence to violent means of vindicating rights less and less excusable. The great international conferences are a beginning of a legislative body, but as yet they are much hampered by diplomatic considerations. A world-legislation decreeing laws by majority of votes is still in the distant future and would involve a total departure from our present system of autonomous nations. Is there an agency by which international law could be developed gradually but on the basis of principles that would in themselves make possible, and in fact import, recognition also by a world conference with legislative attributes? We believe that for the time being definiteness in international law

principles could be achieved best, if they were hammered out in such important litigation as would come before high courts of internationl judicature. Growing from precedent to precedent, adapting itself always more perfectly to the needs of the world, resting on principles of human reason tested in action, international law could grow strong in importance and authority. For by judicial interpretation conflicting points of view are dissolved, the better reason is gradually allowed to establish itself, new implications are seen in older and accepted principles, which in turn will be a guidance in the just settlement of controversies as they arise. Thus the law is conceived of as a growing, living organism not subject to artificial construction by wrong-headed caprice no matter how strongly endowed with temporary power.

It is this kind of jurisprudence that Americans are thinking of when they raise their voice for a high international judicature. It has been their experience for centuries, here and through the English system inherited by us, that law grows gradually by the application of human reason and experience to innumerable practical cases. This high appreciation of the virtue of experience and precedents is common to the legal system of Rome and that of England and America; its true spirit is at an immeasurable distance from the traffic in intricacies and technicalities that has become the byword of judicial administration. Its virtue lies in uniting stability with adaptiveness, and allowing a system of law to grow and gather strength through generations. It is in the light of this experience that Americans are urging the establishment of an international judicature, the collection of international precedents, the development of world-law as a system of practical rules developed through experience tested by reason.

That much further thought and effort must be expended before we can arrive at a clear and adequate conception of the form of international legislative action is to take, requires no emphasis. But such legislation can be effective only if the ground is prepared for it through the judiciary, undertaking in a statesman-like spirit the application and development of in-

ternational law. Thus through a gradual clarifying process, without the shock of sudden transitions, or the clash of arms, will our ideas of world-law grow to maturity.

Non Justiciable Disputes and the Peace Treaties.

Omer F. Hershey.

The Senate of the United States has stricken out from the proposed arbitration treaties with Great Britain and France the clause which empowered the Joint High Commission of Inquiry to decide whether differences arising were justiciable and should accordingly be referred to arbitration. It is a real misfortune that the value of treaties which marked so great a step forward in the cause of peace should be thus impaired because of emotional excitement about things that may never happen, or because of a schoolmen's controversy over what is or is not "internationally justiciable." In effect it is essentially the old conflict between the legalist who believes that disputes can be determined only by rules known and consented to, and the liberal who entertains different notions of the nature, functions and sanctions of law.

International disputes may be broadly distinguished as legal or political in their nature. But this broad distinction is like that between law and fact. Often this is the case of mixed law and fact; and no less often is the international dispute of a mixed character. For recognized legal differences, international jurisprudence usually supplies a rule of law. For political differences, such a rule rarely exists, and for that reason it is assumed that arbitration, or even the various devices of mediation, commissions of inquiry, etc., are unsuitable or are likely to be ineffective. It is argued that you can't judicially decide the non-justiciable and that certain questions are non-justiciable, because there is no rule of law. Then the circle is completed by assuming that there is no rule of law because such questions are non-justiciable. The rules of law, which enable us to settle legal differences between states, when analyzed,

have no greater validity than is given to them by the general consent of the society of nations. Any arbitral tribunal, whether created by treaty for a given dispute, or permanent, and in the nature of a court for all disputes, need not look, and should not look, simply and solely for a settled pre-existing rule; except in so far as such a rule, like so many rules of our every day civil law, is implicit in sound legal reasoning and the demands of justice. It can act both as judge and lawmaker. It can create new rights by its decisions. And international consent or an existing treaty or a lively public opinion can convert these decisions into obligations having all the binding effects of law. The fact that existing international law fails to lay down a rule covering these non-justiciable questions need not deter any established tribunal from creating its own law. Indeed, this has been largely the actual practice of most international adjudications; instance the treaty of Washington and the rules established for the Alabama claims.

The over-zealous pacifist is ready to settle the whole matter out of hand by the simple process of international legislation and adjudication. Given an international parliament and an international supreme court, and he will soon have the international statute book with the inevitable judicial gloss which—on paper—will solve all problems and preclude all save forensic disputes. The overcautious adherent of our received historical jurisprudence, on the other hand, is equally convinced that anything beyond decision of the case in hand, as it arises, in the light of past experience is wholly futile. He would have us do nothing beyond accumulating judicial materials and observing the historical processes by which they are brought forth. Accordingly he gives aid and comfort to the apostles of the cult of red blood and the strong arm, who see only decadence in the submission of questions of national honor to mere judicial decision. He draws upon history and biology to prove that a nation which values its honor as it should, must keep in good training, must be armed to the teeth, must be prepared to take part in the international duello, and must never play what he is pleased to term the coward's part by submitting vital questions of right and wrong to the judgment of a tribunal.

The pacifist may see visions and dreams that can never be fulfilled, and his insistence on the impracticable may prevent the realization of much that is really practicable; but there is no occasion here to pick his program to pieces. Even if we are skeptical as to the outcome of much that he assures us he is on the eve of bringing about, we must recognize that he can do no worse than fail. Just now it is more worth while to look narrowly at the extremist on the other side, the legal extremist who by his position on a theoretic question is aiding and abetting the party of "righteous war" and heavily armed peace. If he is sound in his definition of the limits of what is internationally justiciable, then the program of our peace societies and all our aspirations for international courts and arbitration treaties might as well be abandoned.

Certainly, in this era of universality and of a world community it is not too much to suggest that extreme national individualism is as obsolete as is extreme individualism in private law or within the state. Yet none proclaim the former so vociferously as some who inveigh most vigorously against courts and judges and legal systems for being still influenced by the latter. This solicitation for the national will is exactly the same thing as the solicitude of the metaphysical jurists of the last century for the individual will. If socially the collectivist ideal is to prevail and we are to be asked, for the sake of social justice, to abandon our old conceptions of individual freedom of contract and the like—if we are to regulate our individual rights and obligations, within the state, on the theory that the interests of the individual are to be secured through society and that there are social interests to be secured by the ordinary private law—then it is difficult to see why the same reasoning should not apply as between individual nations and the society of nations, even if we are not yet ready to concede a citzenship of the world.

Perhaps we shall be able to reach a better conclusion as to the non-justiciable in disputes between nations if we consider for a moment some of the limitations of effective adjudication of private disputes.

The text books tell us that in ancient law injured persons had three means of redress; self-help; appeal to the gods (or their ministers), and appeal to the state. The break-down of universal religious organization and consequent failure of excommunication and of the interdict as effective sanctions have made appeal to spiritual organizations ineffectual. There is no state to which an injured nation may appeal. Consequently, we have accustomed ourselves to think that modes of compromise such as mediation and arbitration and regulated self-help were the sole subject matter of adjective international law. But this mode of looking at ancient law is superficial. It also proceeds from the ultra individualist standpoint, considering only the injured individual and treating the whole legal system as revolving about him. All the more recent and thorough scholarship on the history and development of private law seems to be agreed that not the right of the individual but the interests of the social body in preventing private war and in preserving peace and public order, was the real force in the development of judicial systems and in the resulting development of law. Our ideas of legal history are still colored by the doctrines of the state of nature and natural rights which has led historians subconsciously to approach and expound the whole subject from the injured individual as a starting point. The evidence now points the other way. The individual never played the important part in our social or legal development that much of our legal theory concedes to him. Much of the larger history of the development of judicial settlement of private disputes must be rewritten from the social standpoint. Nor is this peculiar to jurisprudence. The same is true in the broader fields of history and economics. In the development of law within the state we may assume that the social interest in peace and public order was the prime consideration and was secured, first, by some social regulation of self-help and of private war, and then, more and more, by providing means for the just determination of disputes and the orderly and impartial ascertainment of rights and redress of wrongs. Consequently the state grew in strength

with the growth of law. Effective adjudication of private disputes, as a means of securing the social interest in public order and the public weal, was therefore rendered possible even with feebly developed states.

Is it far fetched to apply this analogy to the field of international law in connection with the question of the treaties? What we need is not a world state but a better organized society of states, with social interests to be secured and maintained. The orderly and effective adjudication of all disputes is bound to become possible. Nor is this a remote possibility. That there is a world-wide social interest in peace is not merely indisputable *a priori*, but is proving itself empirically in the growing demand for peaceable adjustment of international differences and the world-wide movement against the present expensive and ruinous regime of peace *vi et armis*. We have, then, this increasing world-wide society, evidences of which can be drawn from all departments of human endeavor. We have world-wide social interests to be secured. And the means of securing these interests can not but be the same as those by which the social interests of smaller groups were secured against private war—that is, by providing means for the just determination of controversies and the impartial ascertainment of rights and duties. Undoubtedly such determination and ascertainment must commend themselves to the moral sense of the world. But so it is with private adjudications. They rest upon sanction and upon traditional habits of obedience; but they rest also upon conformity to the moral judgment of the community, without which sanction would soon break down and tradition be rejected. For a long time in the history of law, adjudications had behind them only the social interest in security and order and the moral sentiment of a community which approved the result. We have good ground for faith that international adjudications may be sustained to a large extent upon the same basis.

There are in private law certain well-defined limitations to the judicial adjustment of controversies or the judicial securing of interests. There are really only three such practical limita-

tions: (1) some things are too trivial for judicial cognizance; (2) some things are too great for judicial cognizance; and (3) some things are too intangible for judicial cognizance. Private law does not in theory admit the second limitation, but in practice we must admit it to some extent. Great moral questions sometimes so stir the public that submission to judicial decision is impatiently rejected. A number of instances in recent history might be cited where the public would not brook legal decision on certain questions. The pressure which the judicial power over unconstitutional legislation now brings to bear upon courts indicates that political questions may arise which will be too great for judicial cognizance. Or compare, for example, the "unwritten law"—the sentiment of some communities as to cases of assault upon women.

But it must be noted that these cases are exceptional. There is no class of absolutely non-justiciable private controversies defined by the magnitude of the issues involved. The law has done wisely in not recognizing any such exceptions and its struggle to deal with even the highest interests, as well as it can, has been amply justified by legal history.

Now, analogy between private law and international law seems in practice to be complete in all respects, except that the latter, unlike the former, persists in regarding some subjects as too great for judicial cognizance. Self-help short of war is in international law of two sorts: (1) a self-redress analogous to that universally permitted in private law, e. g., seizure of the thing in dispute; (2) means of bringing pressure upon an adversary to induce him to do justice, e. g., reprisals, pacific blockade, embargo, etc. The analogy of private law must convince us, as we should hold in any case *a priori*, that self-defense and self-redress of the first type cannot be obviated. Our chief trouble lies in the second of the limitations noted in private law—"subjects too great for judicial cognizance." No one as yet seeks to press upon international tribunals matters too trivial or too intangible for adjudication. The fear is that matters too great for adjudication will be dealt with by such tribunals. But does not the analogy

of private law teach us that this will take care of itself? Why attempt to define these exceptional cases legally and refuse to go forward until they are exactly and suitably defined? Private law does nothing of the kind. Really, absence of sanction here is an advantage. It removes the element of danger. International law cannot be used to oppress great states as private law may be used to oppress humble citizens. International tribunals have not made sufficient progress to require us to begin the framing of a bill of rights, a declaration of the rights of states.

If, then, even though we may be disposed to doubt whether adjudications of international disputes will prove a sovereign specific for war; even if we suspect that the struggle of races for hegemony will in the end be determined by the sword; or if we fear that outbursts of passion will at times sweep peoples into battle before reason can intervene, we have equal reason to be skeptical as to the dire results that are predicted of the attempt to secure the widest possible adjudication of international disputes. If the machinery stops and fails to work under circumstances of great stress, it will only do what we see far too often in the workings of our every day machinery of private law. The widest possible scheme can do no more than fail in some details. On the other hand undue limitation may impose fetters during the formative period, the period of growth, which will leave permanent marks, shape the subject awry, and retard its development. Only by experience of inclusion and exclusion can we determine what is justiciable and what is not. It is unhistorical and anti-social to insist upon exclusion on *a priori* grounds of any subject matter which may prove in the event a proper one for judicial determination. Where would private law be if the Romans, for example, had insisted that questions involving the honor or the vital interests of the free man could not be submitted to a Court? Such was a primitive view, but the law at an early stage compelled the freeman to consent to adjudication of such matters. It is much better to set up the tribunal or agree to constitute it with a general jurisdiction over all questions, and

let its practical limits be worked out as juristic and judicial experience and the exigencies of actual controversies demand, than to go on making rules and defining exceptions, and laying down principles in the abstract, and expect disputing peoples to conform to them in the heat of controversy. The whole lesson of legal history is that we must not be over ambitious to define and lay down rules and exceptions in advance. To lay down in advance what is and what is not justiciable, with no experience upon which to go, is to ignore the entire course of judicial history.

International Court of Justice the Next Step.

George G. Wilson.

The institution of the "Permanent Court of Arbitration" in 1899 "with the object of facilitating an immediate recourse to arbitration for international differences, which it has not been possible to settle by diplomacy," was for a time lightly regarded by many statesmen. Following the lead of the United States in 1902, many cases have been referred to this Court. Their number and varied nature give evidence of the place which the court holds even though admittedly defective in some respects. In procedure and in other respects, the provisions for this Permanent Court of International Arbitration and for the Commission of Inquiry were improved and elaborated at the Second Hague Peace Conference in 1907.

In 1907 also a draft convention proposed the creation of a Court of Arbitral Justice "freely and easily accessible, composed of judges representing the various judicial systems of the world and capable of insuring continuity in arbitral jurisprudence." Mr. Knox, Secretary of State of the United States in an identic note of October 18, 1909, suggested to the Powers the possibility of bringing this court into being, and mentioning that in making the suggestion he was influenced by the daily practice and procedure of the "national courts of justice" of the United States, "where one and the same judge administers law and

equity, admiralty and prize, which under its system of procedure are different systems of law." It was proposed that this court should be "competent to deal with all cases submitted to it, in virtue either of a general undertaking to have recourse to arbitration or of a special agreement." This court was to be of a more permanent character than that under the Convention for the Pacific Settlement of International Disputes.

The course of development in the method of settling international differences from the method of war to that of arbitration in some of its forms has shown that a new sanction is taking the place of the sanction of force. States have without protest accepted the decisions of arbitrators to whom they have agreed to leave their differences. The sense of fairness has even entered the field of war and the significance of old maxims *silent leges inter arma,* and "all things are fair in war" have greatly changed. Extended provision is made in the Hague Conventions of 1907 for the regulation of the conduct of warfare in accord with "the laws of humanity and the requirements of the public conscience." This recognition that a state must give heed to the "public conscience" even in the time of war is of recent origin and hardly now fully understood, yet the sanction of the "public conscience" is daily becoming more powerful in determining international conduct The public to which appeal was formerly made was narrow and prejudiced, it is now world wide and swayed by principles of fundamental right.

A court that is to decide questions between nations must have this sanction of the "public conscience," which with the elimination of time and space in the transmission of news has now become an international public conscience.

The steps from war to good offices, mediation, commissions of inquiry, arbitration, and judicial arbitration have been forward steps. The general approval of the principle of the court of arbitral justice in 1907 is a recognition of the fact that the states of the world had since 1899 come to a clearer understanding of the possibility of settlement of international differences by judicial methods, even though agreement could

not be reached as to the system of selecting the judges to constitute the court of arbitral justice.

In the movement for international justice, the next logical step will be the establishment of an international court of justice to do for the states of the world what it was hoped might be done by other means. In the present state of civilization courts of justice are the most perfect means of settlement of differences which have passed beyond the possibility of settlement by friendly negotiation, and in some instances the better settlement may be by the adjudication of the court rather than by friendly negotiation and accordingly suits are often by mutual agreement of the parties brought with this fact in view.

The problem of establishing a law for the international court of justice is in the process of solution through the formulation of many conventional agreements among the states of the world. International law which was formerly regarded as unworthy of the name of law is now recognized by the highest courts of civilized nations as binding in their decisions. The Lord Chief Justice of England said of international law in 1905 it "will be acknowledged and applied by our national tribunals."

Agreement upon satisfactory methods of procedure will not be an insurmountable difficulty for an international court of justice, as courts having somewhat similar functions are sufficiently numerous to furnish helpful suggestions.

The means for enforcement of the judgments of an international court of justice, if other than the sanction of the "public conscience" is required, may perhaps be found in the proposed international military force which has so often been advocated even by the most ardent friends of peace.

It would need little argument to show that war is rarely a satisfactory method of settling an international difference. It is never certain what may be the result of war when it is once begun. The victorious party may rejoice in the victory, may gain territory or indemnity, but in many instances the differences for which the war was undertaken are lost to sight in the new situations which arise as the conflict progresses.

Arbitration in any of its forms is more in accord with the modern sentiment than is war. Yet arbitration from its nature, from its conventional limitations, and because of ancient prejudice against this method of settling disputes cannot in all cases render decisions which will receive the unqualified sanction of the "public conscience" of mankind. The warmest supporters of international arbitration now realize that it is only a long step toward another means of settlement of international disputes.

Westminster Review. 166: 135-43. August, 1906.

Coming Hague Conference. Harry Hodgson.

The only effective way to deal with any evil is to seek the cause and alter that. What is the nature of the evil with which we are concerned? Why do the nations provide these large armaments, and what is the cause of their constant growth? The reason is that each wishes to be able to assert its authority in any affair of difference that may arise between it and other nations. But is it well that differences between civilized nations should be settled in this way? We do not expect, we do not allow, citizens to settle their differences one with another by violent means if they cannot settle them peaceably between themselves, they must appeal to a recognised judicial authority. Should the code for the nation be lower than that for the single man? Ought not the nations to settle their differences by appeal to justice? It has been generally allowed that they ought: as a theory, we have given approval to the principle of arbitration. Let the nations establish the practice of appealing to an Arbitration Court for the settlement of all their differences, and reduction of armaments will inevitably follow. They will reduce them because they will have no real use for them at their present size. How is it that individual citizens are under no necessity to make agreements for the limitation of personal expenditure on instruments of violence? If any man desires to lay out a large part of his income in this way he

may do so; he is not bound by agreements with other men to limit his expenditure in this direction. But there is no such disposition. Why? Because men don't spend money on things that are useless. So would the establishment of the practice of settling all their differences by appeal to justice influence the nations. When this shall be done, nations will be as little disposed to spend money on instruments of violence as are individual citizens.

It will be asked, if this be true, why have not the recent arbitration treaties already had such an effect? The reason is that they are not thorough. They apply only to "questions of a judicial character or relating to the interpretation of existing treaties"; and by further stipulation that they shall apply only to such matters as do not involve "the vital interests, the independence or the honour" of the contracting parties, a way is provided to avoid taking even these to arbitration, since no difference arises which may not be claimed to effect the vital interests or the honour of the nation. Thus they really bind the nations to nothing. They are, to speak plain truth, sham agreements. They have a certain value, as indicating that the nations are beginning to see that the solution of the problem lies in arbitration; but they show also that they yet fear to trust themselves to it.

If we are to benefit we shall have to accept arbitration thoroughly. We shall have to bind ourselves in sincerity with other nations that all differences that may occur between us and them shall be submitted to an Arbitration Court for settlement. There must be no exceptions of any nature. The proposal to bind ourselves in this manner will evoke strong objections. It will be said to be imprudent. Many people will point to the reservations of the existing treaties as showing that the prudent and experienced statesmen who formed them see that unreserved committal would be unsafe. We invite these to show how it would be unsafe. We cannot allow our judgment to be influenced by assertions. It is questionable whether ever a beneficial public proposal escaped opposition from prejudiced and short-sighted people.

To prevent misunderstanding, it ought to be said that the purpose is not to utterly abolish war, but one that particularly concerns the relations subsisting between the great nations. We recognize that in the present stage of man's development armed force is necessary for the maintenance of society, and consequently for a good life. There are elements of lawlessness and disorder, both outside and within every State, which require force for their repression. An armed force properly stands for order and justice. To allow this, however, is not to acknowledge the necessity of armed forces as they now exist among the great nations, nor that war between these has a moral justification. The largeness of these forces, and their constant increase, is not due to the needs for the suppression of lawlessness, but to considerations of the possibility of conflict one with another. Thus the forces, whose true purpose is the maintenance of order and justice, are maintained with a view to use in a purpose which is a violation of justice. In so far as the armed forces of the civilized nations are used against each other are shaped with a view to such use, they are in opposition to the sole purpose which justifies their being. This is the evil. How have the nations come to this dilemma? It it a situation of natural growth. Each of these States represents an established Government maintaining that order and justice which is necessary for the well-being of a civilised society. Each is a growth: each has absorbed the many small societies and petty kingdoms which have in the past occupied the same area. Each, during this growth, has not only had to be on the guard against inimical forces within itself, but constantly against an hostile world without. Thus they stand, separate and on guard, at the point of time which men in this part of the world mark as 1906. The way of relief is obvious. It is by unity. All the nations that stand for order and justice should act in concert. Differences that occur between them ought never to be settled by the method of each interested party insisting on its own interpretation, but by appeal to justice.

It is on this ground that objections will be based. The subjecting of the nation to the control of an outside authority

will, in itself, as a surrender of independence, be raised as an objection sufficient to disqualify the scheme. To regard nations as isolated entities is fallacious. Absolute independence exists only in the imagination. There is no European nation that has not derived the greater part of all that makes it what it is from foreign sources. All that is good in the lives of these nations has been contributed to by each. Take any one of them, look at its industry, its arts, and even the thoughts of its people, and then imagine what it would be if all that can be traced as having come from outside sources, only during the last thousand years, were to be taken away. The whole structure collapses. Mankind is one. When men talk of their nation's independence, it is important to keep this truth in mind. But what the objecting ones have in mind, when they speak of independence, is absolute freedom of the nation from control by any authority outside itself. They say this freedom from control is essential for the preservation of our "rights." They speak of our "rights" as of something particularly ours, as certain special privileges. But the idea is utterly fallacious. We have no such rights. Ask those who speak about the necessity of defending our "rights" what they mean, and what rational answer can they give? To these objectors we have to put the question: Do they wish our nation to domineer in the world and force its will on other peoples, or do they wish other peoples to be treated considerately and dealt with justly? To say that all do desire other nations to be treated justly would be more optimistic than true. But there are, perhaps, few among them who would not say they wish justice to be done, and who do not believe that they wish it. If they mean anything rational when they speak of our "rights," it is that they wish right and justice to be done. But they see only one side of the matter: they are thinking of preventing ourselves from being wronged, and not at all about securing other nations against wrong from us. Having allowed that they wish justice to be done, we question the objectors further. How is a just settlement to be arrived at when a difference occurs between two parties, whether men or nations? There is only one way. It

is to submit the matter, and to submit it without reserve, to a capable third party for decision. The man who refuses to do this is in opposition to justice. The position of one professing a desire for justice and refusing to do this is absurd. The insisting by any man on his own interpretation of a dispute is partiality, while justice consists in *im*partiality. The essence of justice is the submission of selfish desires to the larger considerations of the general good.

The truth of this argument cannot be questioned. There is no way of escape from the position. The man who wishes to have justice done between the nations must allow that the only way to get it is by their placing all differences for settlement with an independent judicial authority. Some of the objectors, while allowing the truth of this argument, as a theory, will say that it would not succeed in practice, because we cannot get a perfect judicial authority. If there is any reason in this argument, it applies with equal force to the settlement of differences between individuals. All judges are more or less partial, and liable to give erring judgments. Shall it be said, therefore, that it is better for men to settle their private differences by the assertion of force than by appeal to justice? It may be said, however, that there is no authority, either existing or to be found, standing in the same disinterested and independent relation to the nations as does a judge to individual disputants, and consequently disputes between nations could not be settled so satisfactorily. This is only another way of expressing that traditional view, which, existing as a prejudice, is the source of all these objections, that all other peoples are inherently hostile to us. To regard all men of other nations as devoid of justice, is as senseless as it would be to regard them all as saints. It happens, however, that this matter is beyond the theoretical stage. The successful issue of the many differences between nations which have been referred to arbitration during the last fifty years proves the groundless nature of this objection. And perhaps it may be possible to form a better international judicial authority than those used on these occasions. The impossibility of our having differences determined

by an exact and perfect rule is not important; but that we settle them judicially, by use of the best means we have, is of supreme importance. The principle involved affects in the deepest way the wellbeing of man.

It is implied in the text of the existing treaties that, besides independence, the "vital interests" and the "honour" of a nation would be endangered by committal without reservation to arbitration. If the foregoing argument is worth anything, it proves that the thorough acceptance of arbitration is required by justice, and would be the best course for us. If this be true, it is absurd to suppose that it can ever clash with our vital interests. It is perhaps most reasonable to suppose that this term has been used as providing an excuse, whenever one may be desired, for a refusal to submit a differennce to the Arbitration Court. And how can our honour be jeopardised by appeal to justice? Only by taking honour to mean loyalty to that conception of conduct that requires a man to personally furnish pain to any other who may offend him. Can this code conception of honour, based on a brutish plane of feeling and thought, be taken to guide our nation? Our average citizen is far beyond this. True honour requires one to act the noblest part, and calls for the strictest loyalty to justice.

Congressional Record. 44: Appendix, 61-2.

International Arbitration And Peace. Richard Bartholdt.

What, then, is our idea? Let me present it to you in a nutshell. It is that our peace with foreign nations shall be secured in exactly the same manner as our domestic peace is secured, namely, by referring all controversies to the courts for settlement. This method of settling disputes has been enacted into law by every civilized nation in order to secure its peace at home, and we insist that each nation should readily consent to, aye, strive for, similar international enactments in order to secure its peace abroad.

Is it plain enough? But you will see it more plainly by raising yourselves a little above the level to take a bird's-eye

view of the world and watch the attitude of the nations toward their own citizens, on the one hand, and toward their sister nations, on the other. You will observe at a glance that the nations are two-faced and that their position is so shockingly inconsistent as to be wholly untenable before the forum of either reason or morality. Let me point out to you some of those inconsistencies. By authority of the nation's law you and I are forbidden to arm ourselves and to take the law in our own hands in case of a controversy with a neighbor.

In the interest of peace the law points to the courts as our only rightful recourse. Query: Do the nations themselves observe this rule of conduct laid down by their own law? No; they do not even think of it. They maintain armaments and go on building battle ships, and in case of a controversy they go to war and fight. At least they have done it, and as yet we have not got them where they will say: We will not do it again. At home nations prohibit fighting and the carrying of weapons in the interest of peace, but abroad they glorify preparedness to fight and armaments as the only guarantees of peace. In other words, governments do not regard the obligation to keep the peace, imposed on the citizen by the nation's law, as binding upon the nation itself, and by praising battle ships as implements of peace they actually repudiate their own civic institutions. Peace between individuals is to be maintained by law; peace between nations by force. And what is the result of these contradictions? That the nation's peace, which our civilization safeguards as the most priceless boon at home, is in foreign affairs made a mere toy, a plaything in the hands of governments and rulers to be either cherished or broken at their arbitary will.

There are more inconsistencies. It is universally recognized that no man should be a judge in his own case. This plain dictate of justice requires no explanation and is enforced wherever human interests clash. Every nation on earth having a lawful government insists upon a strict observance of this rule within its own domain. But does the nation itself, in its dealings with other nations, observe it? Not in the least. In

international disputes each government presumes to be judge in its own case, and upon its decision, right or wrong, depend the happiness and lives of thousands of its citizens. How long, we may well ask, will the world's sense of justice suffer governments to thus apply one code of ethics to their home affairs and another one to their foreign relations? In a dispute are governments any less interested parties than are individuals in a quarrel, and should nations be permitted to judge their own case any more than individuals, especially where the question of right or wrong is one of life or death, peace or war?

Suppose we could turn the hands of the clock backward and allow individuals to do as nations do by shaping our home conduct after the international pattern, do you know what would happen? Why, we would relapse into barbarism; the mailed hand would rule; every house would be an arsenal; men would walk about armed to their teeth; and blood would constantly flow foot high. It is the kind of peace that prevailed when might was right; it is the peace which now prevails as between nation and nation and which the advocates of armaments and battle ships uphold and pray for. But we can not go backward; we must go forward; hence the rule of arbitrary power which now controls international relations will not be extended to our domestic affairs, but, on the contrary, the mantle of law and order which now covers the home affairs of each nation will soon be thrown over and made to cover and grace all the great nations in their conduct toward each other. It is the inevitable logic of events. By establishing courts the nations first secured justice and peace in their own domain; by creating the high court at The Hague they have taken the next step to a higher plane to secure justice and peace in their relations with each other.

I wonder if you fully realize the world's progress in the direction of international justice. As I said, it is not visible to the eye, but it is a reality all the same. Within the last five years more than 80 treaties of obligatory arbitration have been concluded between the nations, our own country being a party to 23 of them. This means that certain questions must

be arbitrated, while all others may be arbitrated by voluntary action. Twice within the last ten years a parliament of man has met at The Hague, with 26 nations attending the first and 44 attending the second meeting, to deliberate how judicial decisions may be substituted for war, how the blindfolded Goddess of Justice may be enthroned where brute force holds undisputed sway.

A world's tribunal to sit in judgment over the nations' controversies was established at the first meeting, and at the second it was voted to make that court a permament institution, and all it needs to-day to insure to us the boon of a world judiciary is the appointment of the permanent judges. And more than that, The Hague Conference resolved to meet again to perfect the system of world organization, so that we practically have a permanent high court of arbitration as well as an international council of peace. Who would have dreamt even ten years ago of such a marvelous advance? Public opinion in favor of peace has become so powerful that 35 nations voted for obligatory arbitration, and they represented, in round figures, 1,300,000,000 inhabitants, as against 9 nations with a little over 200,000,000 people who either refrained from voting or voted against it. A vote of 6 to 1, mind you, by the governments. If the people themselves could vote, they would be sure to make it 16 to 1. Was it an exaggeration to say that our ideas are sweeping the world with resistless force?

The idea of a world organization on the basis of law and justice should and does appeal to Americans more strongly than to other nations because they know that the United States is a model for it. Here are 47 States with their own constitutions, their own codes of law, their own legislatures, and their own governments. Yet when a controversy arises between two of the States do the people become excited, are they seized by the war fever and a thirst for blood? When it was charged that the Chicago Drainage Canal was polluting the Mississippi River did Missouri call out her militia to go to war with Illinois? Bless you, no. The people of Missouri coolly prepared the case for the Supreme Court of the United States, argued it, and

calmly awaited the decision. Is there any valid reason, I ask you, economical, moral, or other, why differences between nations could not be submitted in a similar manner to a supreme court of the world?

All reasonable beings are agreed that war is one of the greatest, if not the greatest, of the evils with which the world has been afflicted from the dawn of history. But while the human family for more than two thousand years bewailed the horrors of that "plague of mankind," as Washington called it, it failed to offer a right remedy. That remedy has now been found. It is safe and sane and practical. It is not the dream of theorists, but the well-defined plan of jurists and statesmen, an evolution of the civic order recognized the world over. The United States now spends over three hundred million dollars a year for its army and navy, of which two hundred millions could easily be saved under our plan, to be devoted to the improvement of rivers and harbors and highways, and to the encouragement of art, science, and education. Think of what a paradise the country could be made with an annual expenditure of two hundred millions for such purposes, or what burdens could be lifted from the shoulders of the people! We are told that the enormous sacrifice for militarism is necessary to preserve the peace. We answer there is a better and more economical way to do it, and one more in harmony with the culture of the twentieth century, and that way is for nations to simply agree to keep the peace and arbitrate whatever differences may arise. In the last hundred years 260 international controversies have been adjusted by arbitration, and in not a single instance did the losing party try to evade the verdict by force or otherwise. Hence our plan has been amply tested. It is supported by an enlightened public opinion, which is stronger than either armies or navies, and it has the blessing of the noblest and best of mankind.

Congressional Record. 44: Appendix, 63-4.

Cost of Armed Peace. James A. Tawney.

In the world march of civilization we hold that the greatness of a nation rests not upon conquered wealth and the bent backs of slaves, but upon its natural resources and upon the industry, the intelligence, and the patriotism of the individual citizen. To-day we realize that there must be as many nations coexistent on the earth as geographical, racial, and historical conditions make necessary. We regard wars carried on merely for territorial acquisition or national aggrandizement as national robberies. The character of a nation is judged to-day by the same standards as the character of the individual man.

It is clear to all intelligent people at the opening of the twentieth century that there is no law growing out of the necessary relations of nations to each other which makes it inevitable that every great nation must, sooner or later, decline and ultimately fall. There is no inherent reason why nations should not exist and grow great side by side as long as geographical and climatic conditions remain approximately unchanged. Indeed, there are abundant reasons to-day why no nation can attain to the full measure of its greatness except through relations of mutual helpfulness with every other nation.

We have entered upon an era of national specialization where all nations are more or less interdependent, where each nation relies upon other nations for some of the necessities of its life, where no nation lives to itself alone, and where none can perish without loss to the world. International commerce, international trade, international language, art and literature, international political influence and example all demand that permanent peace be maintained among all nations.

The question for the world to determine is, Shall this be an armed peace, or will the nations of the world recognize the authority and acquiesce in the decisions of a world-wide federation, thereby insuring international peace without the cost in-

cident to the preparation for war? Such a federation or international state would be but a slight step forward in comparison with the substitution of the authority of the national states in the settlement of conflicts between warring clans and tribes, or with the substitution of publicly administered justice for the régime of private warfare and individual retaliation.

But because of the inherent selfishness and mutual distrust of nations it is said by the advocates of an armed peace that the creation of an international state through the federation of the civilized nations of the world is impossible, and that this splendid achievement can be attained only through the instrumentality of powerful armies and navies which will make reasonably certain the defeat of any nation that might initiate and carry on war against another nation. If this be so, then international peace means an armed peace and that kind of peace cannot endure between nations relatively longer than between individuals. It will inevitably hasten the event for which the nations are now preparing.

The possession of irresponsible power is always a direct temptation to its irresponsible use. Individual citizens are not allowed in times of peace to go armed among their fellow-citizens because of the temptation to use arms for slight cause in such moments of excitement as every man is liable to in the course of daily experience. Just so there is a danger that nations, upon slight provocation, will declare war when each knows itself to be dangerously armed and fully prepared for war. Great armaments, therefore, instead of being a guaranty of peace are a continued menace to peace.

Whether or not the advocates of an armed peace are sincere in contending that peace can be insured only by the aid of great armaments permanently maintained, in the light of all the facts I believe it to be indisputably true that they are more concerned over the question of whether or not their respective nations can successfully compete in the international race now on between the principal nations of the world for supremacy in the size of battle ships and in the number of the largest-sized battle ships the world has ever seen than they are con-

cerned over the question of how best to insure permanent international peace. This mad international race for supremacy in war preparation is all the more astounding because it is taking place at a time when there is no cloud on the international horizon to threaten the existing peaceful relations between all the nations of the world, unless it is occasioned by the senseless rivalry among the nations to excel in martial preparation. To my mind this extensive preparation constitutes a most serious menace to the peace of the world, for it tends naturally in the direction of war even though its alleged purpose is the prevention of war.

Advocate of Peace 71: 211-2. October, 1909.

Armaments and Their Results. Andrew Carnegie.

Armies and navies exist and increase solely under the plea that these are the best, and indeed the only means of ensuring peace.

We deal with three of the axioms urged in their justification.

First: "To be prepared for war is the surest way to secure peace."

Answer: If only one nation "prepared" this axiom would be sound; but when one arms others follow, and the fancied security vanishes. Rivalry between nations ensues, and preparation, so far from promoting peace, sows suspicion and jealousy, developing into hatred the prolific seed of future wars between nations hitherto peacefully disposed.

Nations are only aggregations of men, and all human experience proves that men unarmed are less likely to quarrel than men armed. Hence in civilized lands they are debarred from arming.

Two neighbors have a difference which a friendly interview would have solved, but one acts upon the axiom, "In time of peace prepare for war," and buys a pistol. Hearing this, the other promptly "prepares."

The first decides he is insufficiently "prepared," and buys a six-chambered revolver, an action that is immediately followed by his neighbor. With every additional weapon purchased the premuim upon their lives would be promptly raised by insurance companies. These "prepared" men have only to meet by chance, when a word, a gesture, misinterpreted, results in bloodshed, perhaps death. Exactly so with nations. The causes of wars, both between nations and men, are generally of trifling moment. So much depends upon their attitude to each other, friendly or unfriendly. If the former, no dispute but can be peacefully settled; if unfriendly, no trifle but can create war; the disposition is all. Hence the folly and danger of nations arming against each other, which must always arouse mutual suspicion, fatal to friendly relations.

Armaments and true friendship are incompatible. Even nations in close alliance against other nations must always feel the alliance may give place to other and perhaps hostile alliances. Thus suspicion inevitably follows armaments as shadows follow substance. There is no escape, and suspicion is fatal.

Second: "Our armaments are intended only for our own protection and are no menace to other nations; they make for peace."

Answer: So say all the armed nations, and it is true that every nation regards and proclaims its own armaments as instruments of peace only, because these are meant to protect her from existing armaments of other nations; but just as naturally every nation regards every other nation's armaments as clearly instruments of war, and not of peace, because these may attack her. Thus each nation suspects all the others, and only a spark is needed to set fire to the mass of inflammable material. It is impossible that formidable armaments of one nation should not create alarm among other nations; although all nations may protest that they do not intend to attack, yet they may.

Thus armaments, either personal or national, on land or on sea, so far from preserving peace, inevitably become in time one of the chief, if not the greatest of all, causes of war, since they sow the deadly seeds of mutual suspicion.

The gigantic armaments of our own day have greatly added to this danger, which future additions now under way must inevitably increase. Clearly, increasing armaments is no remedy, since they multiply the dangers of war.

Third: "Armaments are the cheap defense of nations."

Answer: Let us see. Last year Britain spent upon army and navy in round numbers £70,000,000 ($345,000,000); Germany, £48,000,000 ($233,000,000); America, £97,000,000 ($470,000,000), £32,000,000 ($160,000,000) of this upon war pensions. This expenditure was before the day of Dreadnaughts, now costing about $12,000,000 each, say £2,250,000. The naval expenditure of nations and hence the dangers of war are to be much greater in the future, and the end thereof, under present ominous conditions, no one can foretell. One point, however, is clear. Neither men nor money will be wanting with any first-class power involved, since for no cause, unfortunately, can the populace of every land be so easily and heavily burdened as for that of foreign war, in which all men are so prone to believe their country in the right.

The remedy: Recently delegates of the eight naval powers, Germany, France, Italy, Russia, Austria-Hungary, Japan, Britain, America, sitting in London, unanimously agreed to establish an International Supreme Court, to deliver final judgment upon all cases of marine captures, each nation appointing one judge. To such of the smaller nations as apply for admission, seven judges are to be accorded in turn, so that the great maritime nations combined have always a majority, which is common sense.

These same eight powers have only to meet again and decree that hereafter disputes between civilized nations shall be settled in like manner (or by arbitration), and war becomes a thing of the past.

North American Review. 183: 776-9. October 19, 1906.

Precedent for Disarmament. Ernest Crosby.

Hidden away in the archives of the Department of State at Washington is a little document which has attracted but small attention; and yet its effect upon the welfare of two nations has been immense, while its purport is altogether unique. It is an "Arrangement" between the United States and Great Britain, bearing date April 28th, 1817, and signed by Richard Rush, acting as Secretary of State on behalf of this country, and Charles Bagot, Envoy Extraordinary of His Britannic Majesty. The entire contents of this document could easily be copied upon a half-sheet of paper, and it reads in substance as follows:

"The naval force to be maintained upon the American Lakes by the Government of the United States and His Majesty shall henceforth be confined to the following vessels on each side, that is:

"On Lake Ontario, to one vessel not exceeding one hundred tons burthen, and armed with one eighteen-pound cannon;

"On the Upper Lakes, to two vessels (of the same burthen and armament);

"On the waters of Lake Champlain to one vessel (of the same burthen and armament);

"All other armed vessels in these lakes shall be forthwith dismantled, and no other vessels of war shall be there built or armed."

The war of 1812 had made Lake Erie and Lake Champlain the scenes of bloody conflicts. The people living on the shores of those lakes were for the most part connected by blood and traditions, and the war was in character almost a civil war. It was clearly desirable to prevent such conflicts, if possible, in the future; and to some wise and humane statesman the happy idea occurred of removing, or reducing to a minimum, the instruments of strife, recognizing the fact, proclaimed by Victor Hugo, that the chief cause of war is to be found in the armaments of nations.

It can hardly be denied that naval men desire naval war. They would not be worth their salt if they did not. When the lawyer actually wishes for the abolition of litigation, when the physician prays honestly for the disappearance of patients from the surface of the earth, when any man longs for the lack of opportunity to practise his chosen profession or trade, then,

perhaps, will the professional fighter yearn for peace. But the soldier, *quâ* soldier, ought to wish for war. It is his only *raison d'être*. Apparently appreciating this fact, the men who drafted the agreement of 1817 provided for the removal of that incentive to war which the existence and display of a naval force necessarily involves. Their argument seems to have been that Satan will find some mischief still for idle ships to do, and, in consequence, for nearly a century only four toy gunboats have been kept in commission by either country in these waters.

How fully the result has justified their action! We have had plenty of disagreements with Canada. Time and again the disputes between us have reached the point of acerbity and irritation. It is almost certain that, if we had had our weapons handy, one or other of us would have drawn a bead on the other. But, luckily, our hip pockets were empty, and no damage was done. And consider for a moment how different the aspect of the Great Lakes would be to-day if this Arrangement had not been signed! The mad rivalry of armaments would have been reproduced in miniature in each of them. Manufacturers and contractors would be besieging Congress and Parliament to authorize the construction, now of a floating battery, and now of a battle-ship, and each new vessel on either side would be used as justification for a similar one on the other. To withstand such navies, land defences would be necessary, and garrisons to man them. Every port—Oswego, Buffalo, Cleveland, Duluth, Hamilton, Toronto, Kingston—would require modern forts and ordnance; immense expenditure would be necessary even in times of peace, and the continuance of peace would be rendered precarious. The possibility of such a state of affairs has been removed by the Arrangement of 1817, and it is quite likely that the example of peacefulness which it set along the Lake frontier has had the effect of making more or less trivial the preparations for war on the rest of the boundary-line. Has there been anything enervating or unmanly in all this? Not at all. No one doubts for a moment the courage and ability to fight of the men on both sides, but that courage and ability have been released for service in the conquests of nature and industry. Such have

been the far-reaching effects of the Arrangement of 1817, which at the time was not thought worthy of the title of "Treaty" and is called simply an "Arrangement." Mr. Monroe was President then, and his name is associated with another declaration of policy; but I am inclined to think that there are possibilities in the Rush-Bagot Arrangement which may well eclipse those of the Monroe Doctrine.

Case For Limitation of Armaments.

Benjamin F. Trueblood.

Great Preparations for War out of Harmony with our Civilization

The first and most impressive contention of the friends of peace of this way of thinking is that civilization is now so far advanced that not only is war itself out of date, but the colossal preparations for war, which meet the view in whatever direction one turns, are thoroughly out of harmony with the spirit, the social habits, the intellectual attainment, and the philanthropic institutions of the age. When one puts this general character of our civilization over against the colossal armaments of the time and looks at them with a clear eye, the judgment pronounced is very much like that made when one looks at black and white; their total unlikeness is seen without any argument. Private war, which for many generations ravaged Europe, has disappeared. The duel remains in but few civilized countries, and where it is still tolerated it is for the most part a farce. Personal fights with fists or club are to-day nearly unknown, except among thugs and drunken brawlers, which constitute a very small portion of any ordinary community, and are easily taken care of by a moderate police force. The carrying of deadly weapons openly is no longer in vogue. The possession of concealed weapons about the person is not only illegal in most countries, but is so generally held to be disreputable that no gentleman cares to have it known that his hip pocket is the receptacle of a revolver.

Parallel with this crowding of violence and the implements of brutality into the background goes a noteworthy prevalence of social confidence and trust, rising in innumerable cases, over wide areas, into genuine sympathy, friendship, and much mutual service. Neighbor trusts neighbor. The man on this side of the street is not suspicious of the man on that side. The different sides of cities no longer look upon each other as natural enemies, to be hated and maltreated. Mountains and rivers do not now divide peoples into mutually exclusive and malevolent communities. Indeed mountains, rivers and seas may be said no longer to exist, to such an extent have modern means of communication brought all parts of the world into direct communication with all other parts. The unity of the world, on the material side, is no longer a dream; it is an accomplished fact.

It seems utterly incongruous in such an advanced state of civilization in respect of individuals and separate states, where reason and common sense so largely prevail and the use of brute force is being reduced in an ever-increasing degree, that the nations in their corporate capacities should hold war in the highest honor, should keep themselves in a chronic state of feverish preparation for it, and should be increasing and multiplying their military and naval establishments, especially the latter, with a rapidity and at a cost never before even dreamed of. It is difficult to conceive of folly and absurdity carried to a higher pitch than this. The fact that it has always been so can no longer be made an excuse for its continuance. Bad habits in nations are even less excusable than in individuals. There is but one way in which the states which constitute the so-called family of nations can deliver themselves from the guilt and burden of this folly, and that is by taking steps at once to get together and solemnly agree that the present competitive arming shall stop short and go no further. No international act will be found easier than this the moment the governments determine to undertake it with seriousness and with sincerity. There are many evidences which go to show that many of the governments themselves are already taking this view of the situation, though

a few of them appeared at the last Hague Conference to have formed no real conception of the absurd nature of the situation.

Commerce Needs no Great Navy for its Protection

The pretense that we need a steady increase of the navy to afford protection to our ever-expanding commerce has no real ground on which to stand. Piracy has gone from the seas. Commerce that behaves itself is free to go and come as it likes in any quarter of the globe, subject only to regulations to which the commerce-carrying vessels to all the powers are alike amenable. Our foreign trade would be just as safe and untrammeled if we had only a half or a quarter of our present war fleet as it is now. For commerce is an international thing, and the real protection of it is not warships at all, but the common interest of the nations and peoples in it, and the general spirit of fairness, justice and confidence, of give and take, with which our civilization is now so largely pervaded. It is this interest and this spirit of trustful mutuality that have made the great international trade of our day possible, that have built it up to such immense proportions, that sustain it and make it secure for us as well as for other peoples. The fact is that the greater our foreign trade the fewer the battleships we need to protect it, for its increase unites us more and more widely and intimately with all parts of the world, to whose interest it is, as well as to ours, that our merchant ships should go and come, enter ports and leave them, with the fewest possible dangers and obstacles. From this point of view a half dozen up-to-date swift cruisers would be amply sufficient to afford protection against violence to any of our ships of commerce which might possibly still take place in some out-of-the-way places remote from the general influence of the civilized powers, though it would be very difficult to point out where such out-of-the-way places can any longer be found.

Supposed New Rôle in the World Demands no Enlarged Navy

It hardly seems worth while to try to strengthen the case for limitation of armaments on the part of our own country

by a criticism of the claim that we have for the first time, since the Spanish war, become a world power, and hence find ourselves under the necessity of making our navy steadily bigger in order to be able properly to play the new rôle that has come to us among the nations of the earth. This extraordinary bit of reasoning has been much used by the big-navy promoters, but the assumptions on which it is based are so vague and shadowy that a long preliminary discussion of them would be necessary before one could deal directly with the argument in any intelligent and comprehensive way. Have we for the first time become a world power? In what does a world power consist? What is the pretended new rôle that, as a world power, we are to be compelled to play? Must a new world power follow necessarily the militaristic and aggressive policies and methods of the old ones? Must world power, old or new, forever stick to the crude and barbarous and brutal agencies and ideas which have marked the past? The examination of these and similar questions would lead the discussion too far afield. Suffice it to say that, whatever we may have become as a result of the Spanish war, this transformation does not in the least change our general continental situation between the two great oceans, nor has ten years of possession of our island dependencies furnished a single reason for the development of our fleet beyond its present proportions. The transformation does not modify in any important respect the general character of the advanced civilization in the midst of which we as a people live, and from whose high moral obligations and behests we cannot escape. It does not break down—it rather increases the growing unity of the world, the complexity and strength of the new world-society, with its widening co-operation and sympathies, the growing unity of the world, the complexity and its growing trust and its sensibly decreasing need of reliance on brute force. It has strengthened rather than weakened the bulwark which the colossal and ever-expanding commerce of the world is erecting against war, and, still more, against international enmity and explosions of passion. Nor again does the supposed transformation that has come to us alter the results

of the two Hague Conferences. The laying of the foundations of a regular world assembly and the setting up of a durable guarantee of peace in the Permanent International Court of Arbitration are accomplished facts. The powerful bond of peace which has been created among the nations by the conclusion of more than sixty treaties of obligatory arbitration to a dozen of which the United States is a party, is certainly not in the least weakened and endangered by the fact that our connection with the world has become wider and more intimate than it was a dozen years ago. Indeed this new bond has been established since the date on which we were supposed to have become a "world power."

Logical Thing for the United States to Do

Under these conditions it seems that the logical thing for the United States government to do at the present time would be, without respect to what the other nations may or may not promise to do, to stop short in the increase of the army and of the navy, and let it be known to all the world that it will live as if it trusted the sister nations and was ready at any moment to unite with them in an agreement for general limitation of armaments. Such an example would almost certainly meet with an immediate and cordial response from the other nations on whom the burdens of the present conditions bear much more heavily than upon us.

But however this may be as to the United States or any other single nation, it seems perfectly clear, under all the conditions of the times, that it is the imperative duty of the governments, in their collective capacity, to reach an agreement which at a very early day will relieve them, one and all, from the burdens which have grown to be so great and exhausting, and which the peoples ought no longer to be called upon to bear.

Primer of the Peace Movement.

Lucia Ames Mead.

Common Fallacies

That armies and navies are but national police, and will be needed as long as police are. Police and armies have totally different functions. Police will be needed until the millennium. Militia will be needed as long as there are rioters and lynchers; but armies and navies might be banished in the immediate future. Police do not punish criminals, but use only that minimum of force necessary to bring them to an impartial court. Armies and navies, on the contrary, settle cases themselves by sheer brute force, without reference to evidence or justice. National armies and navies will diminish gradually, to be replaced at last by a small international armed police. The united action of European and Japanese troops at Pekin foreshadowed this.

That armies and navies are useful in giving employment. So is a Baltimore fire or Galveston flood, a San Francisco or Kingston earthquake. The murder of President McKinley gave work to doctors, bands, undertakers, florists, and reporters. The many suffer while a few temporarily gain.

That barrack drill educates slovenly peasants into clean, well-disciplined men. Were there no armies, hundreds of millions more dollars every year could be turned into schools, with proper physical training, and eventually there would be no ill-fed, slovenly classes left.

That a military expert knows the nation's military needs better than other men do. As well ask an architect whether you need a house, or a dressmaker whether you need a gown, as to ask a soldier whether we need more armaments. It is human nature to magnify one's profession and to want large appropriations. The soldier gets no glory or promotion in time of peace, and naturally wants something to do. The business man is a far more impartial judge of the nation's danger from foreign jealousy.

That we need a larger navy to keep the peace. Our navy in efficiency is already second only to England's. Our outlay for it has increased seven hundred per cent since 1886. We are going wildly beyond the needs of defense, are becoming aggressive, and are arousing suspicion and jealousy. We are best defended on our Canadian border, where we have no forts. Our rich, safe nation, without enemies except those we provoke, of all others can best afford to lead the world toward disarmament. Why should Congress pay 43 per cent of our revenue for future war, while Great Britain pays only 34 per cent?

That war kills off surplus population. There is none. The earth is very sparsely settled, and is incalculably rich in resources. We have only begun to see the possibilites of scientific farming. All the population of the globe could be put into Texas, and allow a half acre to each family.

"You can't change human nature." All history gives this fallacy the lie. Nothing in the world is changing faster than human tastes and activities. If our bad instincts cannot be wholly rooted out, they can be kept dormant. Emerson and Lincoln showed better than their savage, tattooed ancestors what human nature is.

"In time of peace prepare for war." This means when you are friendly with a neighbor, build up a wall between you; be on the alert for insults, and prepare to knock him down. Since opening the Hague Court, the motto for sane nations is, "In time of peace prepare by treaties to refer every grievance to the World Court."

War prevents stagnation and makes nations brave and strong. Famines, fires, and floods bring out bravery in some men also. Shall we therefore desire them? War makes far more men immoral, diseased, and cruel than it makes brave and noble. Bravery in battle does not imply courage to vote an unpopular ticket, to do business honestly, or to be brave outside of war. War skims off the cream of manly vigor and leaves a skim-milk nation to produce a weaker race. Napoleon's wars destroyed the strength of France. The French physique has been inferior ever since. Spain's chronic wars have left an enfeebled race.

Nothing but blood can wipe out blood. This is a savage and silly superstition. As well say that only ink can wipe out ink.

Nations will never arbitrate questions of honor or of vital importance. The armed cavalier who fought duels at the slightest provocation, two hundred years ago, thought no court could settle a question of his honor. His descendants, who carry no swords, pick fewer quarrels and settle even the most vital ones in court. Nations will gradually follow suit as soon as they have a World Court. The skeptics in 1901 said the Hague Tribunal would amount to nothing; but its first case was begun in much shorter time than our Supreme Court at Washington had to wait for its first case. Within the century the World Court will become a universal substitute for international duels.

"Trade follows the flag." All the statistics show the contrary. Trade goes where it finds customers. Only thirty per cent of England's foreign trade is with her own possessions.

NEGATIVE DISCUSSION

Nineteenth Century. 69: 591-606. April, 1911.

God's Test by War. Harold F. Wyatt.

Self-sacrifice, self-denial, temperance, hardihood, discipline, obedience, order, method, organizing power, intelligence, purity of public life, chastity, industry, resolution, are some only of the national and individual attributes which go towards producing the efficiency of modern armaments. And the efficiency or inefficiency of its armaments is the determining factor of a nation's success, or of a nation's failure, at that culminating moment of long processes of commercial and diplomatic rivalry —the moment of war.

Thus, then, efficiency in war, or rather efficiency for war, is God's test of a nation's soul. By that test it stands, or by that test it falls. This is the ethical content of competition. This is the determining factor of human history. This is the justification of war.

In the realms of sub-human life, in the world of animals, as in the world of men, this law, perhaps so modified that its working would have been to us undiscernible, must still have prevailed. At least the tendency must have persisted that the higher organism should conquer the lower. For if there had been no such tendency, how could the higher organism have constantly emerged?

In the sweep of the ages, in the passage of time, the qualities that make for victory have assumed, gradually, nobler hue. In the confused conflicts of earlier times to detect the secret process by which the higher tended ever to supersede the lower must have been hard indeed. Many are the cases recorded in

the annals of mankind when might has struck down right. Many more must be the unrecorded instances when the like occurred. But the course of development of human society depends not on exceptions, however numerous, but on the rule. And the rule was, as analysis shows, not that "might was right," but that *right always tended to create might.* By "right" is here intended no artificial conception, and no imagined claim to territory. For supposititious "rights" of this kind have in history no validity save when based on force. What is meant is a righteousness of national life which included all or most of the qualities enumerated above as producing efficiency in war. This is the only kind of "right" possessed by a people which has enduring value.

As regards the present, the truth of these statements can hardly be doubted by any reasoning mind. As regards the past, the briefest survey of salient facts will establish their correctness. The triumph of the Greeks over the Persians was the triumph of a higher civilization and a nobler manhood. Marathon and Salamis were as the swords that kept the gates of Europe against the barbarian, and they were the direct fruit of a lofty spirit inhabiting a great race. When, later, the Macedonian phalanx penetrated the East, that penetration represented the victory of the higher intelligence and the greater discipline. The sequent overthrow of Greek by Roman was the result of an austerer morality, of a deeper devotion to national ends and of a more perfect union. Each one of these three events meant the advance of mankind: each was the product of a military efficiency founded on a higher morale.

But if these instances are in themselves striking; if these scenes in the drama of the development of man exhibit the working, through war, of what Matthew Arnold called "A something not ourselves that makes for righteousness"; far more impressive, far more awful, is the tremendous tragedy of which they were the prologue, and which bisects the history of the Western world. Towards the close of the fifth century, says Professor Freeman, "civilization perished in blood and flames." It is a brief phrase. Who is there who can realize

its full intent? But the question we ask here is, why this gigantic catastrophe occurred—this disaster which flung back the march of human thought and human science for a thousand years? If there be one thing certain, it is that civilization tends to become stronger than barbarism. How comes it then that civilization fell before barbarism?

The answer to that queston is to be found in the decay of the military spirit among the Roman people. That decay again was itself the product of the degeneracy of public and private morality. In other words, civilization perished because its spiritual quality failed. Not all the arts, nor all the literature, nor all the splendor and the refinements of the Roman world saved that world from destruction at the hands of Vandals and of Goths. Ruthless, inexorable, the law of the survival of the fittest trampled on the corrupt. Of that law, war is the supreme instrument.

Defeat in war is the fruit of naval and military inefficiency, and that inefficiency is the inevitable sequel to moral decay. Victory in war is the method by which, in the economy of God's providence, the sound nation supersedes the unsound, because in our time such victory is the direct offspring of a higher efficiency, and the higher efficiency is the logical outcome of the higher morale.

Just as in the earlier and humbler domains the higher type ever tended to survive, so in this later period of biological development the higher and the nobler people tends always to secure victory in that culmination of international competition which we call war. Hence it follows that if the dream of short-sighted and superficial sentimentalists could be fulfilled—that is to say, if war could suddenly be rendered henceforth impossible upon earth (which is at present impracticable)—the machinery by which national corruption is punished and national virtue rewarded would be ungeared. The higher would cease to supersede the lower, and the course of human evolution would suffer arrest.

Now, in wars between great peoples, vast and coherent organization is necessary to secure national victory. Now, immense armaments have to be created, and the power to produce and to sustain those armaments, and to inform them with the spirit of life, is the measure of the whole moral and economic capacity of a people. Moreover, such capacity must be developed on the lines on which human evolution is proceeding—that is to say, on the lines on which the Power behind phenomena is working—or else it fails of effect. For no nation which hides its talents in a napkin, no nation which has not energy and ability can either render efficient, or long support, the vast navies and armies of our time. Preparation for war is the enemy of sloth. Preparation for war is the dissolvent of apathy. Victory is the prize not alone of present self-sacrifice and present energy, but also of previous self-sacrifice and previous energy. Briefly, victory is the crown of moral quality, and therefore, while nations wage war on one another, the "survival of the fittest" means the survival of the ethically best.

Nineteenth Century. 70: 226-39. August, 1911.

Vindication of War. Sir Reginald Clare Hart.

It has been certain unwise politicians, not the seers, who have ever healed the hurt of the people lightly by lulling them into a sense of false security from the terrible consequences of unsuccessful war, by proclaiming Peace, peace, when there is no peace. It is contrary to the nature of things. And what has been the result? Empire after empire, nation after nation, has been overwhelmed and obliterated, and how? Not by war exactly, but by war for which the people were not prepared.

In times of national emergency, a state is weakened by citizens who hope that peace at any price will involve less risk and personal sacrifice than armed resistance. They are cast in the same mould as those who, in our early history, foolishly expected to enjoy the blessings of peace by buying off the Danes. It is unthinkable to them that the wolf could be so immoral as to hurt the gentle, unoffending lamb. And they are apparently

without knowledge of the process under which the gregarious animal man has evolved to his present state of comparative perfection, or, at all events, if they accept the principle of Nature's sifting process in the struggle for existence and the survival of the fittest, they without any justification assume that, no matter what may have been the conditions in past ages, modern civilization has freed man, but man alone, from Nature's inexorable laws, and he may, for the future, continue to evolve to a higher state without undergoing the ordeal of battle that was ever present to his forefathers.

We may all be in agreement that war is a dreadful thing and, at the time, an almost unmitigated evil, but there is considerable disagreement regarding the necessity of war and its future effects. There cannot be much in common between those who assert that conferences, compromises and arbitration can and must settle all international disputes, and those who insist that *war is in the nature of things* and is actually necessary for the future welfare of man. Here we have two hostile parties who never contemplate so much as a truce, and the more aggressive is perhaps the side that believes in universal peace and for ever wars against war under any circumstances whatever. Between these extreme parties is the great silent majority that reflects very little on the subject and, according to circumstances, reinforces one side or the other. The war-party appeals to history and evolution, which the peace-party ignores, because it is unable to strengthen its case by pointing to any precedents.

Communities have, from the instinct of self-preservation, consolidated and organised themselves into nations and empires, and much strengthened their fighting capacity by suppressing private and, to a great extent, civil war. However, it is not logical to deduce that, because these sources of internal weakness have been eliminated, international warfare may, in the same way, become a thing of the past, though it is undoubtedly true that conferences, arbitration, and the spirit of forbearance will prevent many unnecessary wars, but the antagonism of races is very real—*it is in the nature of things*—and there has been no abatement of great wars, rather the contrary.

At the Guildhall on the 9th of November 1910 Mr. Asquith said truly: 'No single country can reduce its expenditure (on armaments) and trust, even temporarily, for its own security, and the security of its possessions to the forbearance of more powerful and vigilant neighbours.'

We have lately had a prolonged conference of Statesmen who completely failed to come to an agreement on a constitutional question. Therefore, is it at all probable that the representatives of hostile nations will often be able to avert war by means of a conference? How have we restrained the lawlessness, violence and wanton destruction of property by excited strikers except by the display of force? Yes, it is the superior force that is the best safeguard against wars of all kinds. Arbitration is a noble ideal that appeals strongly to public opinion, because it is enormously to the interests of both contracting parties that differences which are not of vital importance should be settled without a resort to arms, but we must not deceive ourselves, we are not approaching the millennium.

We seek to protect ourselves from the horrors of war; we settle peaceably many international disputes, and wars are apparently avoided, but sometimes only postponed, because they still recur and unfortunately on a more gigantic scale than ever; the battles of hours now drag on into days, and the killed and wounded far out-number those of earlier days; instead of a few mercenaries, whole nations now take up arms.

If, in the distant future, European wars could cease for a time, it could perhaps only be because the pressure of circumstances, which put an end to private warfare, may cause the nations to combine to protect themeslves against threatening aggression from the races of other continents.

If we close the safety-valves of war, the force accumulates, something must give way, and there is a fearful and devastating explosion, and, with all our good intentions, one single catastrophe may be more awful than the sum total of all the evils from which we have spared ourselves in the previous years.

Man has always been groping; history records that he has often blundered badly in the past, and this leads us to suppose that he will blunder again in the future. This is all very sad and discouraging, but surely warns us of the limitations of human wisdom and foresight.

The brotherhood of man and universal peace are fine ideals, but in practice we have to strive for the advancement and preservation of the intellectual and physical powers of individuals, and for national patriotism before we can afford to consider cosmopolitanism. Charity begins at home. In advocating the national spirit, we do not necessarily close our ears to the calls of humanity; we did not do so when, at great cost, we emancipated the slaves; and nations send relief to other nations overwhelmed by calamities like earthquakes or even war. We must take the world as it is, and not as idealists imagine it might be, and we must recognise the extraordinary differences in national characteristics, and that there is absolutely no craving in the world for cosmopolitanism.

In July 1910, at the annual meeting of the International Arbitration and Peace Association, the President had no practical suggestion for universal peace, but he said:

> Hatred of war was now a matter of conscience with the serious-minded, and until the national conscience was educated to revolt at the idea of war-making, the work of peace congresses and peace societies would be incomplete. The picturesque and emotional side of war-making was so ready to inflame, and the war-making instinct so inflammable, that in times of tension the power of reasoning might be drowned by drums and trumpets. There would always be this danger until the national conscience placed war in the same category as gluttony, drunkenness, murder, and such like. What they had to fight was the sentimentalist who could not see murder under the khâki, flags, bayonets, and drawn swords.

In his own words he proves the hopelessness of universal peace, because the national conscience will never revolt at the idea of war-making when it is considered necessary; nor will it ever place war in the same category as murder. Then the hopelessness of the task is emphasised when the President recognises that man is very susceptible to the emotions, and that the war-making instinct is inherent and very inflammable. And if what they have to do is to fight the sentimentalist, does he not know that most men are profoundly affected by sentiment

rather than by reason, and that many of the great wars have been the result of sentiment pure and simple? No, the first step to take is to attempt the impossible—to alter human nature. Supposing war had not been avoided with America some years ago concerning Venezuela, it would have been a scandal to civilisation, but the result of mere sentiment, because there were surely no great interests at stake. When the French ambassador in 1870 was wrongly supposed to have been slighted, the whole nation, though unprepared, called out for war. It is not suggested they were right, or that this was the sole cause, but it is stated as an example of sentiment. The Crusades and the great religious wars were also the result of sentiment.

When an empire, or a nation, falls, it is usual to single out defeat in battle as the cause, but we do not sufficiently consider the contributory causes; they may be numerous, and one of them may be that the people had been over-anxious to suppress militancy, and prematurely to beat their swords into ploughshares, so as to accumulate and revel in more wealth.

In this world everything has its opposite; we cannot get away from it—heat and cold, light and darkness, knowledge and ignorance, good and evil, effort and rest—and the existance of peace supposes war. It is like the swing of the pendulum.

Peace by all means if it is wise, but do not let us lose our warlike virtues, or call our soldiers murderers and butchers.

War is in the nature of things, and history warns us that it is not good for a nation to be too long at peace. War represents motion and life, whereas a too prolonged peace heralds in stagnation, decay, and death. Man has always been seeking after a Utopia where he will enjoy peace and plenty, ease, comfort, and perfection in all things, but universal peace is an unattainable ideal which to practical men is a mere will-o'-the wisp. There has always been constant and deadly war in the vegetable as well as in the animal kingdom, indeed ever since the conditions of this planet permitted the existance of the lowest forms of organic life, and it has only been by war that from these humble beginnings it has been possible by evolution and

natural selection to develop so comparatively perfect a creature as man. The physical conditions will be much the same as they are now a million years hence, but our remote descendants may be as much in advance of ourselves as we are of our arboreal ancestors. However, the means of improvement must be the same as in the past, namely, war, relentless war of extermination of inferior individuals and nations. The process will be slower than in the past, because natural selection is hindered and thwarted by civilised man.

War has been the history of man in the past, and must be so also in the future. The introduction of civilisation is not going to change entirely the conditions under which man is to continue to live on this earth. It is not to be supposed that he is going to evolve to further perfection under conditions quite different from those that governed his upward progress in the past. If this fierce struggle for existence could cease, there could be no improvement, no advance to a higher ideal. But it cannot cease, because the population will always be more or less in excess of the subsistence, and therefore the difficulty regarding the unemployed and the under-employed may never be finally removed though it can and must be seriously attempted. And, as man interferes with natural selection, there will always exist the danger of the submergence of the fittest individuals to be quickly followed by submergence of the whole nation by a fitter one—that is the history of the rise and fall of nations and empires.

History proves up to the hilt that nations languish and perish under peace-conditions, and it has only been by war that a people has continued to thrive and exist. Rome was never so great as during the long struggle with Carthage, when she fought for her very existence. To be prosperous, peace and war must alternate. Peace for a nation is like sleep for an individual, it gives time for rest and recuperation. But, we must not sleep too long or we infallibly deteriorate. Peace is a disintegrating force, whereas war consolidates a people. War is no doubt a dreadful ordeal, but it clears the air, and refines the race as fire purifies the gold and silver in the furnace. Na-

tions, like individuals, ultimately benefit by their chastenings—this is one of the mysteries of Nature.

So long as any people, white, black, brown, or yellow, hold weapons in their hands, we must not commit the folly of beating our swords into ploughshares.

The sufferings of man and beast in war are horrible beyond description, and yet, is it not true that it is not in war, but in peace, and in great commercial prosperity, that our worst vices are developed, fostered, and grow rank? With our material prosperity we become self-indulgent, luxurious, inconsiderate, selfish, and even unmanly. In war, many of the noblest traits in human nature assert themselves, and a high sense of honour comes before everything.

Whether we like it or not, there must always be war, and the nations that become unmanly and despise the military spirit will surely succumb to their more warlike neighbours.

Outlook. 64: 386-8. February 17, 1900.

Use of Force.

Is force ever to be used in the world for moral ends? If so, when? There are those who assert that it is never so to be used. They affirm that moral ends can be secured only by moral means. This is the view of the philosophical anarchist. He would not have the father punish the child, or the teacher his pupil. He would abolish policemen from the streets, demolish jails and prisons, and appeal only to the moral sense of mankind to protect the innocent from the wrong doing of the violent. A sympathetic appreciation of the enormous evils, physical and moral, that have been wrought in the world by the resort to brute force, under cover of maintaining justice and right, gives to this theory a certain plausible sanction; but we are convinced that it is a theory wholly untenable. There are times when physical force must be used for moral ends. It may be difficult to define the limits within which force may be used. It is certainly true that such use of force may be so

used. It is certainly true that such use of force is accompanied with serious moral hazards. But the general judgment of mankind has been that such use cannot be entirely dispensed with, and that whether it is to be used or not is a question to be determined by the human conscience in each case as it arises. In such determination there are two principles which may guide the perplexed. One, that is rarely, if ever, to be used by one's self for his own protection, and never by one's self to punish wrongs which have been inflicted upon him. The other that, in general, it is not to be used if moral means, accompanied with patient submission to some temporary wrong, will eventually accomplish the result sought. If, for example, we could have secured the emancipation of Cuba without war, the war against Spain was wrong; if Chamberlain could have secured the protection of the Outlanders in the Transvaal without war, the war against the Transvaal is wrong.

He who holds that the use of force is ever right will naturally conclude that it may sometimes be used by the nation. The same ground which justifies a parent in using force with his child, a teacher in using it in the school, the state in using it by the police to arrest crime, or by the militia to put down a riot, sometimes justifies the nation in using it against a barbarism which can be met and conquered in no other way. This is, in our judgment, the justification for the so-called war in the Philippines.

The theory that force is never to be used for moral ends appears to us inconsistent with a rational interpretation of the Bible, a sound psychology, a correct understanding of the lessons of history. It is said that Jesus Christ never used force. We think this is a mistake. The lesson of Christ's life is not that force never should be used, but that it never should be directed to selfish ends. It is not that all wrath is wrong, but that wrath is always wrong when it is selfish.

A sound psychology concurs and confirms this understanding of the Bible. The theory that force is never to be used must assume that combativeness and destructiveness in man are wholly evil. In truth, all his powers are divine and capable

of divine use. So long as there is evil in the world, so long there is place for the sword of the Lord and of Gideon. The loyal knight may neither draw the sword Excalibur except in the cause of justice, nor sheathe it until the cause of justice is fully won.

And this psychology and this Biblical interpretation is confirmed and attested by the lessons of history. 'By their fruits ye shall know them" is the Master's test of every moral hypothesis; and the common judgment of mankind agrees, in spite of much specious reasoning, that some of the noblest deeds of human history have been wrought in war, and some of the noblest heroes of human history have both developed their character and proved its worth by warrior service. If force may never be used, if war is always wrong, we should cease to honor the names of Washington and Grant, we should cease to remember with patriotic pride Yorktown and Gettysburg, we should have no monument at Bunker Hill, and no soldier of the Civil War should wear the emblem of his unforgotten service in his buttonhole. The common instinct of mankind is not in this respect wrong; humanity may be trusted; and against the notion that God is forceless, that virtue is feeble, and that the only weapon with which to overcome evil in the world is the "irresistible might of meekness," we put the instinctive judgments of mankind, confirmed by the lessons of history, the teachings of psychology, and the careful interpretation of the life and character of Jesus Christ.

Blackwood's Edinburgh Magazine. 194: 561-7. October, 1913.

What is Worth Fighting For?

Even if the object were a just and true one, the Palace of Peace, established upon the wealth of Pittsburg, would stand condemned. But is the object just and true? Is any object just and true which refuses to accept the familiar facts of life, and which deliberately menaces the safety of our empire for the mere pleasure of supporting a fallacy? The first argument

of the "peacemakers"—we decline to call them "pacifists," a barbarous name chosen by themselves, which shows that they have as little hold on words as on facts—is an economic argument. Mr. Cobden discovered some sixty years ago, that war was "unprofitable," and thanked God for the discovery. It gave no aid to the sacrosanct practice of buying in the cheapest and selling in the dearest market. And others in our day have echoed Mr. Cobden's words. Their processes of reasoning is something as follows: Man does nothing except for profit. War is unprofitable. Therefore war must cease to exist. Of course we cannot accept the major premiss. It is far nearer the truth to say that nothing is done for the sake of profit that is worth the doing. It is not for money that poets sing their songs, or scholars write their books. It is not for money that the true philanthropist—not the millionaire—devotes his life to the betterment of his fellow men. It is not for money that the explorer sails unknown seas, or that the man of science, working in seclusion, discovers new and healing elements. The profit of war, then, may be dismissed as immaterial. Men will fight in the future, as they have fought in the past, for an idea, for a religion, for a sense of freedom, as well as for land, or prestige, or aggrandisement. We shall vary in our judgments concerning the necessity of war unto the end of time. Some will think an extension of territory, useless if you like, the best excuse. Others will be happiest in defence of their home.

The profitable theory of war, can be sustained neither by history nor by human nature. Again and again has England been brought to the verge of bankruptcy by military adventures. Again and again have we taken up arms to defend a theory of life or morals. And if this ideal of the counting house, this rigid sense of profit and loss, were based upon facts, we should still have to fight it as the most ignoble expression of human greed. The exaltation of commerce, for which the "peacemakers" would displace the glory and the hardship of war, merely shifts the battle from one field to another. It substitutes Homestead for Waterloo, and no one who knows the

stories of the two fields could hesitate to acclaim the greater glory of Waterloo.

Having established to their own satisfaction the money-basis of life, they proceed to set forth in the lurid colors of blood and fire what they call the "horrors of war." That war is not conducted according to the harmless rules of the sham fight may be admitted. Soldiers and historians alike confess that a battle cannot be fought without hardship and without cruelty. But the soldiers who have made this obvious admission have not been disloyal to their craft. They have drawn their swords with a full knowledge and a full approval of what awaits them. They cannot be claimed as the champions of peace at any price, because they do not hide the truth from their eyes. And, after all, the horrors of war do not differ in kind from the horrors of peace. We have already said something concerning the brutalities of commerce as it is pursued by sentimental and unscrupulous captains of industry. But apart from commerce, apart even from the battlefield, our life, as Goethe says about Homer's view of it, "represents a conflict and a hell," and this doctrine of life as Matthew Arnold added, is "tonic and fortifying." Man is beset by hardship throughout the length of his earthly pilgrimage. He fights against disease, he fights to earn his living, he fights for his children and his friends. Thus it cannot be said that war alone engrosses the horror and cruelty of human life. If you abolished steel and gunpowder, man could still find other weapons of craft and strength, and pursue with what success he might the warfare which is at once the stimulus and the fortitude of his character.

In brief, man is a fighting animal. He has been fighting ever since the world began; he has been fighting many months past in the Balkans; and he will go on fighting whenever he has what he believes to be a good cause and plenty of dry powder. For fighting is the expression both of man's vices and man's virtues. Man will fight until he has rid himself on the one hand of envy, malice and greed, on the other of honour, patriotism and sacrifice. The converse of peace at any price is not war at any price. We may avoid the conflict by adequate

preparation or by cunning forbearance. But there are circumstances in which no self-respecting country will refuse the arbitrament of war, or will be deterred from the vindication of its honour by the fear of hardships or the hope of gain. And for all its hardships war has been a constant influence in the world for good. It has taught the virtues of courage and obedience: it has been an instant check to sluggishness and egoism; it has given such occasion of self-sacrifice as no other form of human energy has afforded. But, even if war were all that the apostles of peace at any price paint it, it would still exist. "Pacifism," says Willian James, "makes no convert from the military party. The military party denies neither the bestiality, nor the horror, nor the expense; it only says that these things tell but half the story. It only says that war is worth these things; that, taking human nature as a whole, war is its best protection against its weaker and more cowardly self, and that mankind cannot afford to adopt a peace economy. . . . Our ancestors have bred pugnacity into our bone and marrow, and thousands of years of peace won't breed it out of us." There is as clear and moderate a statement of the case as you will find, a statement which finds its support as well in history as in the nature of man.

North American Review. 192: 227-37. August, 1910.

War and Peace: The Military Point of View. William H. Monroe.

Peace will not come through the hot temper of the thoughtless and of the inconsiderate, of those who vainly cry from the housetops, "Peace! Peace!" yet lack in their hearts that spirit of justice upon which alone peace can be founded. The entire world yearns for peace, and except in rare instances war is not made nowadays for the mere love of war. We have passed, in the development of modern civilization, from the old days when was was a trade, when men fought for the pleasure of it. We have not achieved the ideal yet, we probably never

shall; but a comparison of the present with the past reveals the wonderful progress of civilization, and we are encouraged to see that in all the qualities of mind and heart that make for peace, the world is improving; and no one can fail to see that the tendency of human development is ever towards peace and good-fellowship among nations. But so long as private interests are ruled by selfishness and greed, and so long as public opinion tolerates contemptuous treatment of authority, and permits bad faith and worse manners in relations of an international character, wars of necessity must come. Since men have never ceased to quarrel with and misunderstand one another, private war is brought on among individuals; and since the test of a structure lies in the strength of its weakest members, it follows that national pride and sensitiveness are even more keenly alive to insult than can be so in the case of individuals.

International law,—the code of international etiquette,—something unheard of until comparatively recent times, is based solely on the sanction of authority recognized by civilized nations; and so far as war is concerned, international law cannot control it. Something stronger than law is needed; public sentiment must deal with it. It has been truly said that when public opinion has risen to such height all over the world, that the peoples of every country treat the peoples of every other country with the human kindness that binds home communities together, we shall see an end of war—and not till then. We inherit the warlike propensity; our fighting ancestors have bred pugnacity into our bones and sinew, and thousands of years of peace could not breed it out of us. Popular enthusiasm is but too easily aroused at the prospect of war. Let the daily papers rouse public opinion to a certain fighting pitch, and nothing can withstand it.

A certain part of the press of the United States is crying aloud at the "Cost of Armed Peace," and in the discussion the United States is held up to the reproach of mankind because it spends a few millions each year in the development of a proper military establishment. If these gentlemen would put upon one side of the ledger the cost of armed peace and charge

up on the other side the cost which this country has suffered in every war because of lack of preparation, they would find that it will amount to many times more than we have spent for military preparation. We Americans are too apt to indulge in self-glorification and to consider ourselves and our country as the greatest things on the earth. A little less of false patriotism and a better understanding of our limitations would have saved us many times in the past much humiliation and much loss of life and property. It has been truly said that our great war expenses have been caused simply because we did not have sense enough to arm ourselves properly in time of peace.

In his admirable essay on "The Moral Equivalent of War," after discussing General Homer Lea's recent book, "The Valor of Ignorance," in which that officer attempts to show that Japan has entered upon a vast policy of conquest—the game in which the first moves were her wars with China and Russia and her treaty with England, and of which the final objective is the capture of the Philippines, the Hawaiian Islands, Alaska and the whole of our coast west of the Sierra passes, Professor William James admits the plausibility of General Lea's dismal forecast and concludes that,

> "There is no reason to think that women can no longer be the mothers of Napoleonic or Alexandrian characters; and if these come in Japan and find their opportunity, just such surprises as 'The Valor of Ignorance' paints may lurk in ambush for us. Ignorant as we still are of the innermost recesses of Japanese mentality, we may be foolhardy to disregard such possibilities."

The military profession must not be confounded with the mercenary trade which, unfortunately, it was in ancient times, when pride, gold, women, slaves, excitement were the chief motives that led men to make war. It is no longer true that the professional soldier is primarily required for purposes of aggression; nor is the military career merely an affair of hire and salary. It is strictly true that what makes it a holy duty to defend one's home and country also makes it a holy duty not to invade the country and homes of others. Military men doubtless have a keener appreciation of the truth of this axiom than those who are loudest in their denunciation of war and

preparation for war. There is a type of military character which every one feels that the race should never cease to breed, for every one is wide awake to its superiority. Let us not be misunderstood, the apologist for war *per se* is hopelessly obsolescent. Military men deny neither the bestiality nor the horror nor the expense of war; and as a means of producing peace between nations, war is recognized as the most futile of all remedies. Military men are at heart peace-loving men, and they are as a class strong peace-advocates. They are thoroughly disciplined, lofty ideals are constantly before them, and their moral training is such that duty, justice, honesty, truthfulness, unselfishness and patriotism are chief among the qualities that distinguish the profession of arms today. The military instincts and ideals are as strong as ever, modern man inherits all the innate pugnacity and all the love of glory of his ancestors; but men no longer play the game of war for the mere love of glory. Only when forced upon us, only when injustice leaves us no alternative, is war now thought admissible.

The man who enlists in the military service, says Mr. H. G. Wells, steps from the street of clamorous insincere advertisement, push, adulteration, underselling and intermittent employment, on to a higher social plane, into an atmosphere of service and cooperation and of infinitely more honorable emulations. Here at least, a man is supposed to win promotion by self-forgetfulness and not by self-seeking. The peace enthusiast shudders at the very idea of war and is sometimes so lacking in common sense as to ridicule the notion that armed forces have really accomplished the results he so vainly thought were the products of his own eloquence. The peace enthusiast is impractical; he fails to realize that lofty ideals are not the property of all men. Life is complex; high ideals are the golden threads that form the warp of it; but coarse, crude and oft-times base materials make up the woof of it.

The idealist would have us believe that the world has gone mad in its demand for Dreadnaughts; but the idealist has just forgotten for the nonce that he is a very small party, and like any other individual he can only sound one trumpet in the

grand symphony of life. The very men who fight the battles of the idealist and make their dreams possible realities incur the wrath and displeasure of these righteous ones. They flatter themselves that the contests for supremacy have been inconsequential, that right and justice would have triumphed without armed champions, and that no credit whatever is due those who laid down their lives for righteousness' sake. Pushed to its logical conclusion, this prejudice against the use of force in the maintenance of peace would do away with the policeman; but how long do you suppose the gentlefolk of our great cities would continue to live in enjoyment of their happy homes, were there no uniformed guardians of the peace? And how long do you think peace would reign on earth today were there no armies and navies to make aggression and injustice unprofitable and unattractive?

Scribner's Magazine. 51: 186-91. February, 1912.

Insurance of Peace. John McAuley Palmer.

It has been suggested within the past few years that an international court resembling the United States Supreme Court could settle all international disputes without resort to war. It is argued that whereas the Supreme Court is the judicial arbiter between the forty-six States of our Federal Union, it furnishes a model for an international court capable of adjusting the differences between the forty-six nations of the earth. It is insisted that the organization of such a court would end war by making it unnecessary. There can be no doubt that such a court would make in many ways for international peace, but there is a very serious doubt whether it would put an end to war. A mere consideration of the history of the Supreme Court of the United States will tend to confirm this doubt. There can be no doubt of the success of that august tribunal in other respects, but in the only opportunity ever given it to prevent a war, its failure was complete. It should not be forgotten that the American people appealed from the Dred Scott

decision to Gettysburg and Appomattox. Before the war, lawyers and politicians might quibble as to whether our country was a nation or a voluntary association. After the war it was settled forever that our country is an indissoluble nation.

This most pertinent historical instance must raise some doubt as to whether the elemental forces in human nature can always be controlled from the wool-sack. It would seem that there might be conflicts of human interest and human passion so vast and so complicated that they cannot be expressed in terms of formal jurisprudence. Indeed, the assumption that the cause of a war can be reduced to an adjudicable dispute will rarely bear the test of historical examination. The fallacy seems to lie in the assumption that the parties to a war seek or desire justice. Historically, this is almost never true. Each party simply wants to impose its will upon the other party. Nature unerringly decides these conflicts in favor of the strongest, and it is questionable whether a human contrivance for insuring the survival or the supremacy of the weakest instead of the strongest would be a good thing for the world even if nature could be induced to tolerate it.

Perhaps the American people should have accepted the Dred Scott decision. It was handed down by the tribunal endowed by the Constitution with final authority in the interpretation of constitutional questions. Had the people accepted the decision there would have been no war. But they did not accept it. Certain insurgents like Abraham Lincoln did not hesitate to denounce the decision and the court that pronounced it and announced their determination to change both by political means. A majority of the people ultimately sided with Mr. Lincoln and clothed him with political power. The result was secession, which was nothing more nor less than a formal and deliberate appeal to the court of war.

It is therefore an indisputable fact that the Supreme Court of the United States could not and did not prevent the war between the States. And yet the problem of judicial prevention of war was presented here in its simplest form. The parties at interest were of the same tongue and race, their political tra-

ditions were derived from the same source, their legal institutions were of the same character, their religious and ethical conceptions were identical. There was a complete agreement between all parties as to the authority and composition of the court. The tribunal was supported by a co-ordinate legislature and executive, and behind its decisions were all of the powerful sanctions of regularly organized government. And yet it failed.

Is it reasonable to expect that a complex international tribunal, with none of these favorable conditions to aid it, could be relied upon to do what its simpler prototype failed to do? The idea of an international court of justice is a noble one, it will become an institution of beneficent import to mankind, it will further the undoubted evolutionary tendency toward world peace, but its organization will not put an abrupt end to war.

For war is Nature's court of last resort, the ultimate phase of politics. It is the final expression of that struggle for existence to which all living beings are committed. It is Nature's law that the weak must give place to the strong and the scientific observer will recognize that this biological principle governs as rigorously in the affairs of men and aggregations of men as it does in the relations of the lower animals. We may find fault with Nature's code of ethics if we will, but we know that she always decides in favor of the strongest competitor whether it be a nation, a man, or a new stag in the herd.

As the unoccupied reaches of the earth's surface grow smaller, the competition between nations and races must inevitably increase in intensity, and war power which is the ultimate form of competitive capacity must exercise even greater influence in the future than it has in the past. This is true because with the advance of civilization, the increase of population and the absorption of waste places, the boundaries between national spheres of influence have lost their vagueness and flexibility and are becoming definite and tense. A few years ago there were vast "no man's lands" to attract national enterprise along lines of least resistance. To-day, however, the earth is pre-empted and in the near future only the strong can grow

and the growth of the strong will necessarily be at the expense of the weak. But the issue between the strong and the weak will be determined not by numbers, nor by wealth, nor by culture, nor by creed, but by effective and available war power. It does not follow from this condition that wars will be more frequent. On the contrary, the development of the war power of the more enlightened nations is the best guarantee of peace, just as the neglect of war power by any state invites encroachments upon its territories and spheres of influence, defiance of its policies and curtailment of its national aspirations.

Open Court. 27: 548-58. September, 1913.

International Complications. Paul Carus.

At the bottom of all the complications between two or more governments, such as the United States has had of late with the Japanese in California and with England on account of the tolls of the Panama Canal, there lies the great question of war, viz., the power to wage war, the financial ability and readiness to carry on a war and the courage to risk a war; and it seems desirable to clear up the situation once for all by showing that on this foundation ultimately rest all international relations, mutual respect, every consideration of rights, and the confidence in the ability to accomplish anything or to stand for something.

This life is a struggle and there are always clashing interests. There is no justice *in abstracto*, but justice is generally a compromise between two rights, or perhaps more correctly between two colliding claims. Wherever justice is so obvious that there is no doubt about it, it is a matter of course and need not be discussed, but such cases are exceptions—if they exist at all. The power to enforce a right, either by sheer strength or through the machinery of courts or other public institutions, is part of the fight itself, and weakness is tantamount to rightlessness.

There is no legal status between the lion and the lamb, but there is one between the lion and the shepherd. The shepherd owns the lamb: he has reared it and defends it, and the lion's right to it is based upon his power to take it away from the human owner. Lions and other animals of prey are outlaws, because they will persist in taking what they can find without being able to establish a truce, viz., a condition of peace permanent or temporary. If the lion could make a contract with the shepherd to be satisfied with a definite share without continuing to wage war on human society, he would be entitled to the share accorded to him by treaty. However, since this is impossible there is a state of eternal warfare which can terminate only in the extinction of one or the other party. In former ages whole territories had to be given up to beasts of prey; in our day the rule of man has been strengthened to such an extent that the extinction of the tiger and the wolf is near at hand.

We see that everywhere power is the basis of right, and even where republics have developed from monarchies the course of events has been through revolutions. The United States had to fight for its independence, and liberty is ultimately founded on the power to keep out usurpers and unwelcome intruders. Take away that power of the people and any republic will be in the situation of the lamb in the paws of the lion.

We cannot change the constitution of the world, and so long as the world stands the ultimate basis of all right will remain the power to enforce it. Let the sheep become ever so learned in law and demonstrate to the satisfaction of all the wise men gathered from all the most civilized countries of the world that it has a right not to be eaten by the lion, the lamb's right will surely meet merely with Platonic considerations and remain unheeded so long as it is unable to fight and defend itself.

Only a century ago, an adventurer from Corsica set himself up as emperor, and placed his yoke upon the necks of the legitimate princes of the world. He could enforce his rule and so his empire became established for the time being and was

recognized by the world, but all his claims would have been ridiculous had he not possessed the power to enforce his will.

Napoleon was a factor for good in the stagnant world of Europe about the year 1800. There were so many entrenched rights, so many privileges by God's grace, so many antiquated medieval conditions which had become unbearable, that a good broom was needed to sweep them all out with relentless vigor. This was done by Napoleon, who in his egotistic and high-handed way so cleared out all the cobwebs of the Holy Roman Empire that the Germans ought to be grateful to him even now for having paved the way for a modern and more tolerable state of things. It is true he came as a usurper, but he came like Heracles cleaning the Augean stables of the accumulated deposits of medievalism by wholesale inundation of his powerful decisions. He accomplished his reforms from very egotistical motives and not from love of modern ideals, but after all he performed the task and he did it by main force at the head of his armies. The representatives of privilege would have resented the new régime but they trembled and had to give up what would have cost the people a revolution to bring about. If Napoleon had but possessed greater foresight, if he had not at the same time now and then trampled upon the common rights of man, if he had been fair towards adversaries, had not committed such crimes as assassinating a man like Palm, a simple bookdealer, in ruthless disregard of human life, he might have been the man to establish a modern Europe upon the new right of the Code Napoleon, more adapted to the needs of modern conditions. But there was too much of the lion in him and too little of the human, so he became only a link in progress and had to make room for less drastic successors, to build up more stable conditions upon the basis of the new social needs of mankind.

Considering the significance of wisdom, of foresight, of stability, of justice, a certain class of men have developed who believe that force is no longer needed for establishing right and suppressing wrong, but this notion is a fatal error, and a general peace on earth can only be established on the basis that

the men of good will are the most powerful people on earth, and this state of things is bound to come in the natural course of events. An assured condition of universal peace increases with the progress of the power of the civilized nations.

War is almost always a foolish transaction and both parties will suffer by it. The great Moltke, the greatest strategist on earth, used to say that "even a victorious war is a calamity," and certainly though Prussia was greatly benefited by her victories over Denmark, Austria and France, she had to pay dearly with certain evils that have developed, the transitory disastrous crisis of financial troubles and, what it worse, the rise of a narrow-minded reactionary jingoism. Nevertheless the wars of Germany were needed for the establishment of her status in the European concert, and woe to Germany if at the critical moment she had not been pepared to defend her rights with the sword. The power of self-defence is always the indispensable condition for peace, for an honorable peace, and peace has been kept among the European powers of to-day only because they have been fully armed and could have gone to war, and especially the present German emperor is to be highly commended for the establishment of peace. But he has accomplished this difficult task solely by the readiness of his armies.

The representatives of international peace follow a true instinct in their effort to establish peace on earth for all men of good will, but they frequently overlook the point that the basis of universal peace must always remain the power of the man of good will to enforce his right and determination—if necessary to go to war for his ideals. War will gradually abolish itself, or rather it will be reduced to the most extreme cases of settling disputes about questions of independence and national honor, and this will come about in the natural progress of the times by the increase of the strength of civilized nations and by the unanimous kindness on which they will naturally unite in establishing peaceful conditions on earth.

We have before us a very interesting article on the present situation published by the American Association for International Conciliation, in which Prof. Paul S. Reinsch of the Uni-

versity of Wisconsin, recently appointed ambassador for the United States in China, discusses "American Love of Peace and European Skepticism."* He finds that in Europe diplomats and others are skeptical as to American love of peace, and claims that they [the Europeans] live crowded together in a small continent. They have the memory of antipathies of centuries to overcome. Their struggle for existence is grim, viewed from the swarming centers of European industry. "Yet," continues Professor Reinsch, "when we make them realize that against their feeling of their own troubled situation we set not a vague sentimentalism but a deep conviction engendered by experience, they are willing to give more credit to the American joint of view even to look to it for a solution of their own difficulties."

The trouble with this conception is that by what Professor Reinsch calls "our experience," he means that we have had long stretches of peace, (from 1864-1898 and from 1898 until today), but this is really a lack of experience, and perhaps also a weakness of memory. We forget quickly and easily, and upon this lack of experience we base our confidence in the permanence of the present peaceful conditions of American politics upon which rests our "public opinion with proposals tending toward universal peace."

This our public opinion is based on sand, and indeed our present problems in Japan and England remind us of the possibilities of war, and war would become absolutely unavoidable if the United States were not ready to defend itself. Assume the condition that the United States navy did not exist, how would other nations regard our rights or claims? How quickly would any nation compel us to submit to its conception of right, and being unable to defend our conception of right with sword in hand, others would condemn our views without even taking the trouble to investigate the legal basis upon which we have taken our stand.

Suppose mankind could have submitted all the prior quarrels that ever took place in former ages to a court of interna-

* See p. 77.

tional arbitration, would it not be sure that in almost all the most important cases the judges would have decided against the course of development which history has taken? What chances would the Boston tea-party have had before an international tribunal? What rights would have been granted to the Saxons when they settled in Britain? What concessions would have been made to the Pilgrims when they ousted the Indians from Massachusetts? How would the Aryan conquerors of India have fared if their quarrels with the Indian aborigines had been laid before an impartial court to decide their differences according to any law of holding land, modern or ancient? What would have become of Alexander the Great, whose part in ancient history as a ferment for great new developments in the Orient is so significant?

Wherever we look into history we find that the ultimate basis of all right lies in power, while the continuance of it becomes possible only through the wisdom of foreseeing the results of breeding discontent among the subjected elements, who by combination and establishment of a countermovement will gradually acquire sufficient strength to upset the order established by violence.

If we neglect to comprehend the significance which power plays in international politics we shall be apt to make the gravest blunders, and instinctively all nations act upon the principle that their voice in any international council or in the general respect of mankind counts only so far as they can enforce their will, and gain recognition for their conception of right and their peculiar kind of civilization. It is true that representatives of a policy of peace-at-any-price are more numerous in America than in Europe, but this happens to be simply for the reason that Europeans have more experience. As a rule they see the necessity of maintaining their national honor at the point of the sword.

Energy, power, force and the will to use it—that is the backbone of every decided stand in life; and wherever we cancel power, these ideals sink down into mere sentimentalism. If the Europeans misunderstand American ideals, e. g., the love

of peace at any price, the reason is exactly this; Europeans know very well that when a real clash with American interests comes, America will stand up for her rights just as much as any other power in the world, and all our declamations and assertions of our good will and love of peace will be set aside for the sake of national honor, national independence, and the defense of national ideals.

We must bear in mind that the ideals of a nation are exactly the issues on which international quarrels originate. So for instance in 1870 Napoleonic France had one ideal of international right and justice while Germany had another conception of it. The clash came mainly on account of the difference between their ideals, and the question was which of the two should predominate.

Similar conflicts will come about in the further development of mankind, whether European, German, English or French ideals shall mould the future of mankind, or American ideals; and if the question is not decided by war it will certainly be decided by power. If in a contest any one of the contending parties is so overwhelmingly strong that the outcome of a war can be easily foreseen, the problem will be decided by treaty, or simply by submission. The stronger power may make concessions to the weaker one, but on the main point it will prevail, and in this way many wars will be avoided in the future, but the condition of such a peaceful settlement of problems will always be based upon a prognostication of the powers displayed on either side of the contending rivals.

Among the rights and wrongs which a nation commits there are many things beyond the litigation of international tribunals, and American declarations of their international good will and love of justice have often become an object of incredulous smiles in Europe because the actual policy of the United States has rarely been in accord with their idealistic pretensions.

North American Review. 195: 28-39. January, 1912.

Place of Force in International Relations. A. T. Mahan.

Can force, broadly considered, be regarded as an inevitable factor in international adjustments and in the maintenance of the general international balances? The point is interesting, especially at this present moment when the apparent inclination of public sentiment throughout that which we esteem the civilized world, the world of the highest development in material progress, and in artistic and literary culture, is tending toward the elimination of that active display of force which we call war. May it not be that in confounding force with war we are simply ignoring a fact of not only general but universal existence? Law, itself, which its extreme advocates desire to see installed in a place of War, is, in last analysis, simply force regulated—a most desirable end—but inadequate for the very reason that it is only one manifestation of a power which is manifold in its exhibition. Not only does law for its efficacy depend upon force, as is shown by the entire paraphernalia of justice from the single policeman to the final court of appeal, but under law and within law force continually controls.

In this country we have recently been passing through, and have not yet emerged from, a period in which force, astutely managed and directed, has largely controlled the business relations of the entire community. The force of concentrated capital is as real and as material as the force of an organized army, and it has the same advantage over a multitude of unorganized competitors that an army has over a mob. At times well within memory the contest has narrowed down to a conflict almost personal, at times quite personal, between concentrated financial powers, ending at times in a disabling reverse or disastrous overthrow to one or the other. As the disadvantage of such contests has become apparent to the greater competitors, there has succeeded a disposition to co-operation, corresponding to alliance between political entities for their mutual benefit. Coalescence of force dominates more and more, until the mass

of individuals constituting the community realize that such force menaces their independence, and must be opposed by other force; the force of money by the force of votes expressing itself in legislation. This is the condition to-day, the condition of regulation. Yet it is realized that for the benefit of the whole the force of concentrated capital must be permitted free play, within certain limits which are fixed by the opposing forces of the ballot-box.

The States of the world of European civilization, in which America is included, in their organized national activities represent among themselves an international community of competing business organizations. They recognize that the general benefit depends ultimately upon the welfare of each and all; but nevertheless the aim of each is to compass for itself—that is, for its people—the utmost preponderance of advantage possible to be secured. Of this aim and effort, Protection, technically so called, is the most evident and the crudest manifestation. Protection is simply the use of force, of national power recognized as legal, to secure commercial advantage; but it becomes immediately apparent that, so far as the system is economically sound, the greater the area that can be embraced within it—that is, the larger the concentration—the more effective is the operation.

Hence results inevitably the attempt to enlarge the national boundaries, in order to include and to administer to the national advantage as much territory at least as can be securely held and profitably exploited. The motives thereto, though not purely economical, are largely so; but undoubtedly there does co-operate the perfectly human and universal motive of enjoyment in mere possession. This must be taken into account, as a real and influential national factor. It is a mistake to argue that because nations and peoples are largely animated by self-interest, self-interest alone moves them; and it is a blunder to infer that there is inconsistency in maintaining the predominance of interested motive, and at the same time affirming the existence of other and competing impulses. Both classes exist. If there be inconsistency here, as is sometimes asserted, the inconsist-

ency is not in the statement, but in the human nature concerning which the statement is made.

The wars of the past half-century bear witness to this, for it may safely be affirmed that self-interest, especially of the pecuniary order, bore in them a relatively small part. The American War of Secession was with both parties one mainly of sentiment; on the one side the objection to see its country dismembered, on the other the instinct of self-preservation, as misunderstood, and of independence as essential to self-preservation. Bismarck's wars of 1864, 1866, and 1870 were motived, doubtless, by the interest of Germany; but they embraced a conception of German racial unity consolidated into political unity which, while assuredly a utilitarian end, was certainly not devoid of a lofty nobleness to which German sentiment responded with an exaltation that ennobled the wars themselves. The war of Russia against Turkey, in 1877, no doubt took account of Russian ambitions concerning Constantinople; but the determining impulse, which constrained even the autocratic Tsardom, was popular sentiment inflamed by sympathy with the oppression of nearby kindred peoples. A similar impulse dictated the war between Spain and the United States; the transfer of the Philippines, the chief material gain, if so it can be called, not only was not an object of war, but was accepted with reluctance, under an unwilling sense of duty, as one of its unfortunate results. Various motives, some of them sordid, may have entered into the transactions preceding the war between Great Britain and the Boer republics; but the shuffling, invidious handling of the Uitlander franchise by the Boer Government was the predominating factor. The author of "The Great Illusion" shows clearly enough that much is now done in South Africa contrary to the views of the British Government, an inevitable result of local self-government, especially where there is a color question; but the constitution of South Africa establishes equality of suffrage, in its basis and in its exercise, among all adult white males. Union and equality are thus the outcome of war. The war between Japan and Russia I believe to have been felt by Japan one of national self-preservation;

that sentiment prevailed among her people, and not without reason.

It is, I believe, the cardinal mistake of the author of "The Great Illusion" that nations now go to war, or are preparing for war, under the impression that there is financial profit in injuring a neighbor. His other proposition, that the extension of national territory—that is, the bringing a large amount of property under a single administration—is not to the financial advantage of a nation, appears to me as illusory as to maintain that business on a small capital is as profitable as on a large. It is the great amount of unexploited raw material in territories politically backward, and now imperfectly possessed by the nominal owners, which at the present moment constitutes the temptation and the impulse to war of European States. The difficulty of the situation, from the point of view of the peace advocate, is that law is not competent to the solution, while diplomacy is; and that in diplomacy force is always a factor. The recent difficulty between France and Germany, and its method of solution—in fact, the whole Morocco question during the past ten years—illustrates this series of propositions.

As the motives of these several wars rose far above a mere financial advantage, so their results have been beneficial from a nobler point of view. The preservation of the North American Union, with the abolition of the degradation of mankind in slavery, and of the disastrous economical condition of slave labor; the welding of the German race into the German nation, followed by the great industrial and economic advance, which only a unified administration could have insured; the detachment of Bosnia, Herzegovina, and Bulgaria from the rule of Turkey, the benefit to the inhabitants of those provinces, attested by the results and newly witnessed-to in the past years by the miseries of Albania under continued Turkish rule; the advantage to Cuba, Porto Rico, and the Philippines from the substitution of American influence, or American control, for that of Spain; the opportunity of Japan, and her national security, purchased by the successes in Manchuria at a money cost far exceeding in proportion that of any of the other wars

named—all these are instances of benefits secured by war, and which could not have been secured by law, for in no one of the cases was there a law which could have accomplished the specific result.

Law could not have abolished slavery; could not have given the impetus which achieved German unity; could not have dispossessed Turkey of her misgoverned territories, nor Spain of hers; could not have extorted from the Kruger *régime* fair treatment for the foreigner, nor established equal rights in South Africa as it was; could not have vindicated the natural rights of Japan against the encroachments of Russia in the Far East. Diplomacy using force accomplished that to which law was unequal, and could not but be. The great objection to law, however, is not merely that it is inadequate, but that in most of the above cases it is inequitable—perpetuates injustice by sanctioning outworn conditions or inapplicable principles.

University of Chicago Magazine. 36: 138-42. January, 1911.

From Diplomacy to War. Harry Pratt Judson.

While force as a means of settling international differences seems archaic, it should be remembered that within states force is still the ultimate means of preserving public order. There are still tendencies toward disregard for law extending even to anarchy which can be repressed only by the firm hand of the police power, whether exercised through ordinary peace officers or through military organization. If this is true within states, still more will it continue for a long time to be true among states. It can hardly be expected, therefore, that the good order of the world can be maintained permanently without military and naval armament of some sort.

Notwithstanding the probable relative permanence of arms as the means of enforcing the international police power, there is still a wide field for those who are seeking at least to reduce international collisions within the narrowest possible limits. It is to this end that arbitration has been sought and so largely

extended. There can be no doubt that the tendency to settle national dissensions through arbitral courts and the adoption of more definite machinery to that end have been one of the most important advances of civilization within recent generations. Situations frequently arise in which nations that differ desire to reach a settlement. This desire is stronger than the willingness to engage in war. At the same time a national sense of honor, rightly or wrongly, will often make it impossible for diplomacy to reach an agreement. Under these circumstances nations would rather have the matter settled in any orderly way than resort to arms. It is an outlet for such situations that arbitration finds its most important justification. Of course, also, there are innumerable other matters not so serious which can very readily be settled by reference to such courts.

There are, however, three difficulties with courts of arbitration which are quite obvious. One is what is at least commonly believed to be the tendency of arbitral courts to effect a compromise. Compromises are at times a wise means of reaching a settlement. Diplomacy often leads to that result, as, for instance, in the boundary treaty between the United States and Great Britain in 1842, and again in 1846. It may be that a court or arbitrator can wisely point out the desirability of compromise as a reasonable mode of settlement. This indeed was the attitude taken by the king of the Netherlands as between the United States and Great Britain in 1830. Still, if a question is referred to an arbitral court it is far more satisfactory for such court to settle the question on its merits, both as to law and facts. It may be that as time goes on and arbitral courts come more frequently to be employed the compromising tendency which has at times been seen will disappear. That, however, is at least open to question.

In the second place, an arbitral court from the nature of its composition refers every really difficult case to a single person as an umpire. The very composition of the court contemplates the possibility of the court's being divided equally, aside from the umpire, by predetermined opinions. This throws the

entire burden in such cases on one person, and makes it extremely difficult to secure an umpire whose decision can meet undoubted respect. The arbitration between the United States and Great Britain over the matter of compensation relating to the Northeastern fisheries is a single illustration of this inherent difficulty in arbitral courts.

In the third place, there are certain matters which under the present conditions of international policy no nation will refer voluntarily to a court of arbitration. These are especially matters which involve, or are believed to involve, the national honor, the integrity of the national territory, and perhaps great questions of national ambition. It is these matters about which nations are still willing to go to war if their ends cannot be attained by peaceful means. There remains, therefore, a large field within which the system of arbitration is not at present practicable.

Spectator. 102: 600-1. April 17, 1909.

Why Should the Nations Wage War?

It is our earnest belief that for the immediate future the nation's motto must be "Prepare, Prepare, and again Prepare," and that this preparation for war must not be merely physical, but must also be moral and intellectual. It was not enough, we urged, for the Government to build battleships and make gun-mountings and armourplates. Every man and woman in the land must engage in a work of self-preparation which shall make them, and therefore the nation which they compose, fit to bear the coming strain. We must now deal with the chief objection to our contention. It is the objection of those well-meaning and often great-hearted people, the advocates of universal peace. "Instead of urging the nation to bend all its energies to preparation for war, why," they ask, "do you not bid us prepare for peace? You are falsely and wickedly assuming that war is the natural and inevitable fate of mankind. You have no right to make an assumption so horrible. Assume

instead the humane, the Christain view that wars can cease and must cease, and you will be helping to make them cease." Behind those who take this frankly Quaker view are those troubled souls who, though they are not prepared to go the whole length of bidding the nation lay down its arms and trust to the forces of reason and humanity, yet raise the cry: "Why, oh why cannot we have peace? Why should men want to waste their treasure and their energies in killing each other? Why cannot they agree to rise above the savage state and settle their disputes by reason and goodwill? Private individuals no longer have recourse to killing each other in order to compose their differences. Why should the nations?"

These are questions which it is most important that the nation should ask and answer. To turn aside from them half answered is to do the very thing which we are imploring our countrymen not to do,—to refuse to face the real facts, and to live in an unreal world of sentiment and emotion. Until the nation as a whole is willing to accept the hard, nay, pitiless, answer which must be given to these questions, it cannot truly prepare itself for the task before it.

Still, is there any good reason why wars must continue and battle remain the last argument of nations? Yes. They will and must continue because communities of men will always differ from each other upon many questions, and differ so fundamentally that they will not yield save to the only argument which all men admit to be unanswerable, the argument of proved superiority in physical force. Wars do not come about by accident, or through the influence of the stars, or no man knows how, but always in the last resort through the clash of human wills. Analyse any diplomatic correspondence or negotiation which has ended in war, and you will find that it falls at last into a formula of this kind:—

One nation says to another:

"We desire that you will refrain from taking such-and-such a course of action."

The other nation replies:

"We have a right to take it, and mean to take it."

The following are the next steps in the dialogue:

"We warn you that if you do, we shall prevent you by force of arms."

"We will not yield to your threats. We maintain our right to do what we will with our own."

"Then there is no way but war, and may God defend the right!"

"So be it."

"That is all very well," it will be urged, "but private individuals are quarreling like that and saying just such things every day, and yet no physical struggle occurs. The world has found a way out of the difficulty. It has found it in a Court of Law. Surely it must be quite as easy to apply this remedy to nations as to individuals." Alas! this hope rests on a delusion. Why do men have recourse to a Court of Law in private quarrels, however heated they become, and however convinced each may be that he is morally and legally in the right? Because they are forced to do so, and are allowed to use no other arbitrament. Does any one suppose, however, that when a litigant is beaten in a Court of Law, and believes, as one of the litigants almost always does believe, that he is suffering a gross injustice, he would obey the order of the Court unless he knew that he would be compelled to do so? In ninety-nine cases out of a hundred men submit to an injunction or mandamus or an order to pay damages, not because they are persuaded that their antagonists are in the right and they in the wrong, but simply and solely because they know that the whole force of the community will be set in motion to oblige them to do so. The power behind the Court of Law is capable of crushing every obstacle that comes in its way. No doubt if one could imagine an international Court of Law armed with powers so tremendous, powers of coercing States as surely and as rapidly as private men are coerced by private Courts of Law, it would then be easy enough to substitute arbitration for war and the decision of a Hague Tribunal for the last argument of sovereign States. Unfortunately, mankind has never been able to create such a court, and to arm it with powers sufficient to enforce

its decrees. Stay, it has certainly found a method of preventing the clash of will in human communities, but the method is one which the free men of Europe reject instinctively as bringing greater evils in its train even than the reign of war. That method is universal monarchy. If one Power in the world, or in one portion of the world, rises to such a height of strength and power that its decrees are irresistible, it becomes in fact, if not in name, the universal Sovereign, and will force the smaller States that surround it, or are embodied in it, to keep the peace. Such was the *Pax Romana*. So irresistible was the force of the Roman Empire that it was able to lap the world in universal peace. If during the sway of the Antonines any kinglet or chief threatened to fight with his neighbour or to resist the Imperial power, Rome spoke her final word, and crushed out opposition as the High Court crushes out opposition to an injunction or a mandamus. We see the same results in British India. India, bounded by the ocean on two sides, and on the third by a vast semicircle of mountains, is like another world. In that world British power has become so supreme that wars between native States have stopped for the last seventy years. No Rajah within the *Pax Britannica* dare lift his sword against his neighbour. This is not because the various peoples are not inclined to quarrel with each other or with us, but because they know that the whole weight of our power would be instantly brought into action to prevent recourse to arms. Those who think they suffer injury have to accept the decision of the Government of India in lieu of settling their disputes by war.

To return to the analogy of the Roman Empire, does any man seriously desire the establishment of a Power so strong that all Europe must obey its decisions, even though an end could thereby be put to wars, and to the practice of settling by the sword disputes that can be settled in no other way? Next, even if the States groaning under the burden of armaments were theoretically willing to see such a condition of things established, which Power would they choose to endow with the attributes of the Roman Empire,—the attributes of universal sovereignty? One has only to ask the question to see that it is unanswerable.

Outlook. 82: 49-50. January 6, 1906.

International Arbitration. Walter J. Shepard.

One hears just now much talk about the extension of the jurisdiction of the Hague Tribunal for the settlement of international disputes; and some enthusiasts even predict the speedy elimination of war through this seemingly simple expedient. There is a surprising lack of penetration in most of the current discussion. Permit me to express a few facts which are almost always overlooked.

1. Courts are always constituted to apply existing law; or perhaps, in the absence of legislation, to expound existing law into new fields. This latter is always done in a tentative and conservative manner. Where the law is determined it is their sole function to apply it, entirely disregarding its righteousness or unrighteousness, its inherent applicability or inapplicability to the circumstances. It is never their duty to substitute one law for another, however expedient or necessary such a change may appear.

2. The only law which can be applied by courts is the *lex loci*. Courts cannot apply the law of any other place, or general nebulous law. International law has validity in courts of law only as it has been incorporated into the law of the land. The Hague Tribunal, like all other courts, must apply the *lex loci* unless it is to exercise other functions which are certainly not judicial.

3. The law continually tends to become antiquated. New conditions and circumstances continually require new legislation to bring the law into harmony with the times. This must be true internationally as well as nationally. Moreover, while a continually developing law is everywhere necessary, courts are always and everywhere traditionally conservative. Ancient precedents, antiquated forms, mediæval usages, are the material which they use. Judicial bodies, by their very constitution, hark back to the past rather than prophetically forecast the future. Changed relations, new conditions, mean nothing to them, and can mean nothing, if they are to preserve their character as courts.

4. War is not analogous in its results to a court, and therefore cannot be superseded by a court. War does not apply existing law. It destroys one legal status and puts another in its place. It supersedes one law by another new law. It is legislative, not judicial, in character. One party in every war fights to maintain the legal status; the other always strives to supplant it by another, more in conformity with its desires or with changed conditions. All wars grow out of the dissatisfaction of one nation or people with the legal status existing in some definite place. This *lex loci* is brought in question by the war, and the effort is made to alter it. This may not always appear at first sight, but fundamentally it holds true. Even such minor wars as are nowadays threatened to enforce payment of debts upon Spanish-American States rest upon the dissatisfaction of the aggrieved power with the legal status prevailing in the territory of the offending nation. It is not true that there is no court to administer the law. The courts of Venezuela are open, and presumably apply Venezuelan law, the *lex loci*. Perhaps in cases in which foreigners are parties the decisions are not just, and the Hague courts might be expected to apply the law more impartially; but unless this body is to be something else than a court it must apply existing law, and the existing law of Venezuela.

5. The substitution of the Hague Tribunal for war, by unanimous consent of all nations, unless an international legislature were also provided, would result in far more serious injustice, misery, and evil than the present system of war. Without provision for the progressive development of law to meet the changing needs of the world, the application of law by any court, however distinguished and impartial, is the merest travesty of justice. In such quarrels as that of the United States with Spain, and of Japan with Russia, the verdicts would have been given in favor of the defendants, because they, in each case, stood upon the law. England could well afford to refer her dispute with her revolting colonies to the Hague Tribunal; German unity would never have been attained; South American republics would refuse to pay their debts with impunity; and

Turkey would continue forever successfully to invoke the august sanction of the law. Reverence for law may become insane apotheosis.

6. If war is ever to be abolished, it must be by the substitution of an international legislature rather than an international court. But such an international legislature implies a far greater integration of national units than we have yet attained. Racial, linguistic, religious, economic, social, as well as legal differences must be assimilated. It is because such an international legislature is for the indefinite future quite impracticable that the specious notion of a world court has gained such currency. When we have a world lawgiver, we may expect a world court, not before.

Atlantic Monthly. 78: 26-34. July, 1896.

Arbitration and our Relations with England. E. J. Phelps.

Compulsory arbitration is a contradiction in terms, since that process must necessarily take place through a voluntary agreement, incapable of application until the occasion for it arises. To agree to arbitrate future controversies is one thing: actually to arbitrate an existing controversy is quite another. It is manifest that there must be many cases, quite impossible to foresee, to which such an agreement would not apply, or would be, by one side or the other, repudiated as inapplicable, and the question whether the case is within the agreement would be likely to make more trouble than the case itself. It might almost as well be hoped to prevent disputes by agreeing beforehand that we will never have them,—a practicable method, undoubtedly, if it could only be settled at the same time to what disputes the agreement not to dispute should apply.

But arbitration will still be resorted to in the future, as it has been in the past, in that limited class of international cases where the questions involved are questions of fact, depending for decision upon evidence. Such cases, while they may be compromised, can never be determined except by some tribunal

which can hear the evidence, and so ascertain the truth; and sometimes they may be too important for compromise. Even in those cases this mode of trial encounters many obstacles. If the tribunal is composed, in whole or in part, of members appointed from the countries that are parties to the controversy, they cease to be judges, and become only representatives and opposing advocates. If it is made up of members from other countries, serious embarrassment arises out of the difficulty of obtaining those who are satisfactory; the foreign languages they speak; the systems of law and methods of legal thought, very different from ours, in which they are trained; the want of power in the court, under whatever exigencies, except that which is precisely conferred by the treaty, even so much as is necessary to enforce its own orders; and the lack of any system of procedure or rules of evidence such as in all other tribunals are found indispensable. These and other difficulties will be found quite sufficient to conduct those who have to deal with them to the conclusion that a court is not a court of justice which is only the creature of the parties litigant; and that, in order to be effectual, it must be invested with a larger and more independent authority than can be derived from their consent. But, grave as these obstacles are, and lessening, as they always must, the chances of a really just decision, they are nevertheless not insuperable, since what has been done before, however imperfectly, can be done again with no greater imperfection.

Beyond cases turning upon questions of fact, arbitration, however plausible in theory, is not likely to be found practicable. In cases involving questions of law, which means of course international law, it is not available. Such questions are necessarily new, for no tribunal is requisite to decide between nations those points in respect to which the law is already settled. Unlike a court of justice, which deals with municipal law and is empowered to extend its principles to every case of new impression, so that there can be no dispute too novel or too difficult to be decided, an arbitration cannot extend the rules of international law beyond what is already established, since those rules find their only sanction and authority in the general con-

sent of nations. The inquiry in every case is, therefore, whether the proposition advanced has received such assent. If not, however just in itself, it is idle to expect arbitrators, empowered only by the agreement of two nations to decide a particular case, to take it upon themselves to enlarge the law of nations, and to add to its existing rules any new proposition; or in other words, to declare that to be law which is not law, and which they have no authority to make law. Hence no rule of law can be adopted by such a court unless it can be shown to have been previously acquiesced in; and arbitration can be useful in no case depending upon a question of international law, except those cases in which it will be unnecessary, since the point involved will have been already settled.

Nor can it be expected that any controversy whatever which involves national honor will be submitted to arbitration by any nation capable of self-vindication. The same considerations will likewise prevent the reference to such a tribunal of any dispute involving the integrity of the territory of a nation, which has been occupied by its subjects under a claim of right for any considerable period of time on the faith of their country's protection. And finally, it is obvious that in no case whatever can that remedy be successfully proposed, where popular feeling on the one side or the other has reached fighting heat, and has passed beyond the control of representative government. A casual review of the wars that have occurred in modern times between countries so governed, and of the conditions that preceded them, will show how utterly futile in such emergencies would have been, or would be likely to be hereafter, the attempt at the lingering and uncertain process of submitting to the decision of foreign jurists the quarrel that had set men's minds on fire. It will probably be apparent, therefore, to those who will reflect upon these suggestions, that it is a mistake to suppose that international arbitration can ever become, as has been fondly hoped, a substitute for war. On no such artificial and cumbrous contrivance can peace on earth and good will among men be made to depend. These reside in the temper of nations, not in the decision of courts.

Living Age. 254: 195-207. July 27, 1907.

Hague Conference and the Practical Aspect of War.

Alfred T. Mahan.

It is not to be supposed that nations will antecedently submit themselves to a tribunal, the general principles of which have not been crystallized into a code of some sort. A Court of Arbitration, however constituted should have laid down for its guidance and governance certain established rules, or body of precedents, which by common agreement have reached the authority of law, and so may justly be styled law international; a code to which appeal may be made, and upon which decision shall rest unchallengable. Under present circumstances, when a case shall have arisen, and be pending, its characteristic features apparent, the nations concerned will know how far they can trust themselves, as a substitute for such a code, to the existing state of international law, undigested for final formal acceptance; but there is not the same assurance for an unknown incident of the future. Where an antecedent body of accepted law is wanting, arbitration becomes a matter of personal beliefs or opinions on the part of the arbitrators; just as many so-called treaties on international law express the views of the writers, frequently discordant, as to what law ought to be, rather than a definition of what it is. Such a definition in fact is impossible, because there is not a law. Law, strictly so called, presupposes a law maker; and for international law the law-maker has not yet come into existence. Particular nations have made treaties innumerable, which are laws unto the contracting parties, for they have power to frame and impose them; but not laws to other States over whom they have not power.

The Hague Tribunal has already, in its brief existence, furnished a striking illustration of the dangers which may be apprehended from submitting to it questions of right, as distinct from questions of fact, until by an agreement certain principles have been established, and their bearings in some measure defined

by applying them to specific possible cases, thus making laws; analogy from which might support action of the Court if an unforeseen case arise. The instance is none the less striking because the nations referring it did so with full knowledge of the matter and interests at stake, and of the existing condition of international law. It merely makes all the stronger the argument that it is unsafe to bind oneself beforehand to submit cases that are not yet foreseen. In the case of a delinquent State, compelled by armed force to settle the claims of its creditors, the Hague Tribunal has decided that in the subsequent payments the citizens of the States which thus resorted to arms to get back their money were entitled to be the first paid, and great has been the indignation of those whose moral sense repudiates recourse to force for such purposes. That this judgment rested technically upon the ground that the delinquent State had offered special guarantees only to the blockading nations, illustrates aptly the surprises that may await those who go to arbitration before details as well as principles are settled. In a pamphlet put forth under the auspices of a prominent Peace Association I find the following comment: "The decision has been much criticized, as appearing to encourage force in debt collecting; but, in seeking a strictly legal solution, the arbitrators may have been forced to ignore the ethical question involved." This supposed opposition between presumed ethical right and strict law had better be adjusted, before a question involving ethics is submitted to a tribunal liable to fluctuations of opinion, as the individual members composing it vary. It can scarcely be alleged that anything like an international consensus now obtains as to the ethical propriety of forcing a nation to pay its creditors. I do not pretend to say which course is right from the moral standpoint; but, as international law till now has tolerated the forcible collection of such debts, I own to thinking that the peoples who by resort to authorized methods obtained redress for all parties were entitled for their trouble and expense to have the first lien upon the security pledged. Others do not think so, and there you are. On either side of the dissent is a highly respectable body of opinion; but that of the

judges goes. There is neither settled principle nor adverse precedent, and the result is a grudging acquiescence by the last served.

In these cases, whatever be thought of the methods, the sufferers had little claim to sympathy, and the principle at stake, though novel and important, can hardly be said to touch vital interests or national honor: but how far does the experience encourage nations, antecedently to knowledge of the questions that may arise, and with a body of formulated law as yet meagre, to entrust to such a tribunal matters which may involve vital interests, such as the United States conceives to be embodied in the Monroe Doctrine? or of moral propriety, which many Americans thought violated in the particular decision? When a case has arisen, a government may know the extent to which it commits itself in accepting arbitration; but for the unforeseen future what standards are there whereby to measure what the tribunal will do, or will not? what the maximum and minimum limits of its action, which by the hypothesis we have bound ourselves antecedently to accept? Is it practical to consign vital interests or national honor to so uncertain an issue, by failing to reserve them? Indeed, would not the more prudent course be to state explicitly what character of cases would be submitted, and to reserve all others? This question much resembles that so much discussed of the powers of the General Government and of the several States in the American Union. If the nations are to confederate, should there not first be a Constitution? It is true that healthy constitutions grow, even when so rigidly guarded as that of the United States; but through centuries of diplomacy the practice of nations has been slowly growing into a noteworthy bulk of precedents, material available for codification, after discussion.

Whether such codification is as yet practicable may be doubted, in view of the extensive argumentation still conducted by diplomacy over the bearing of so-called principles on current questions: but could it be effected in any degree, and definitely accepted by all the great nations, it would carry so far a certain assurance of justice, and thus to a great extent

would limit the decisions of an arbitral body to a finding on the facts, to which principles or rules already established and known beforehand would be applied. So far as a man or a nation knows the tests that will be used, he or it can afford to mortgage his conscience in advance; because adequately assured that right —to which principles apply—will not suffer, although interests, which depend upon the facts, may. But, really to be known, the prinicples must not be merely general in statement, but specific in their application to the range of international relations under consideration. Such application may fail of completeness, but should be attempted. Nothing is final, but none the less finality is a proper aim. An instance of such a compilation is the series of rules to govern the practices of war by land and sea in certain defined matters, drawn up by the first Hague Conference, and by it recommended for adoption to the Governments represented.

Now, such formulation of principles and rules, as far as it may go, is a tangible and practical substitute for war; and where approved and accepted will to its extent avert war. Meanwhile, for the adjustment of unforeseen differences that continually arise, and will arise, we now have the established methods of diplomatic correspondence, and negotiations in their various orders, to which the last resort is war. War is one of the established methods of settlement. The practical aspect of war therefore is that it is a means, possibly crude and partial in operation, but for which as yet no satisfactory alternative has been devised, whereby a nation enforces a claim to what it considers essential interest or national honor. The recent collection of debts from one or more South American States was an act of war; was war, though there was no formal proclamation, little bloodshed, and no treaty of peace. What practical substitute was there for such action? As far as I understand, none, except the view formulated, but not yet accepted generally by creditor nations, that a delinquent State should not be compelled to pay. I believe there was no question that the debts were due. The facts were admitted, but the question of prinicple was raised whether a government owed to

its own citizens to collect such debt; or whether, as in blockade running they must accept the consequences of their risks, in this case of lending on doubtful security. Evidently, if States are to arbitrate, this question of principle should be determined beforehand. As it is, all we have gained from the particular example is an evidence that arbitration, to be generally satisfactory should proceed on principles formally recognized, and sufficiently developed in application to be a check upon a Court's decisions. No international method can endure unless generally satisfactory. It is a general dissatisfaction which now seeks to disestablish war; but to be successful it must present an alternative that shall be workable, and not merely alluring. I strongly suspect that as yet a tempting prospect is taken for a solid reality.

Congressional Record. 48: 2597-2605. February 29, 1912.

Arbitration treaties. George Cabot Lodge.

If these treaties, following the example of those now upon the statute books, had stopped with Article I, which enlarges and defines with a new definition the scope of arbitration, there would have been, I think, no question as to their immediate ratification, because under the terms of that article every special agreement—and there can be no arbitration without a special agreement in each case—was to be submitted by the President to the Senate for its advice and consent. No question, therefore, could be arbitrated under that article, if it stood alone, which had not received the approval, first, of the President and, secondly, of the Senate; that is, of the entire treaty-making power of the United States. Under Article I alone, no matter how uncertain and undetermined the words of definition and limitation might be, there could be no danger of any question being forced to arbitration which in the opinion of the President and the Senate was not properly arbitrable. But these treaties did not stop at that point. Articles II and III provide for an international commission of inquiry. These articles are

identical, in substance if not in language, with the provisions of The Hague conventions for the establishment of commissions of inquiry, whose duty it shall be after a delay of a year, to inquire into all the facts relating to the question in difference between two nations and to report thereon to the parties to the difference. The Hague provisions declare specifically that the report of such commissions of inquiry shall in no sense be an award, but shall be merely a statement of facts upon which the parties to the controversy may take such action as they see fit. It is just at this joint that Articles II and III of these treaties depart entirely from The Hague provisions. In clause 3 of Article III in these treaties it is provided that the high commission of inquiry shall be authorized to decide, if there is not more than one dissenting vote, whether the question before them is arbitrable; and if they decide this question in the affirmative, then clause 3 of Article III declares unconditionally that the question shall be arbitrated. It is this clause which has engendered all the discussion which has taken place in regard to these treaties and which has caused the Senate committee and, I believe, the Senate itself to feel that either some amendment or some clear explanation of the clause in the ratifying resolution is absolutely essential.

In dealing with the promise made, as I conceive, in the last clause of the third article there are two important facts of a general character which should be carefully remembered at the outset. One is that if we make these treaties with France and England we can not, without creating a most undesirable situation, refuse to make treaties in precisely similar terms with other friendly nations who may ask us to do so, and our possible relations with all other nations are by no means the same as those which so fortunately exist between this country on the one side and Great Britain and France upon the other. These treaties, therefore, must be considered not simply with relation to England and France but as to their meaning and effect if adopted with all other nations.

The second fact to be remembered—and this is often and generally overlooked—is that all the differences with other nations

in which we shall be involved will be American questions. We have no interests in Europe. It has been our settled policy from the foundation of the Government to hold ourselves entirely aloof from all European questions. This attitude was recommended by Washington in his farewell address, and we have never departed from it. On the other hand, the powers of Europe have now and always have had many important interests in the American Hemisphere. If you will glance over the list of arbitrations in which the United States has taken part, you will find, I think, that without exception they concerned American questions. Pecuniary claims may of course arise anywhere, but apart from these, which are not serious as a matter of international difference, all the great arbitral settlements in which the United States has taken part, with the exception of the Alabama claims, have concerned American boundaries or the rights of the United States on the American Continent, under treaties or otherwise. In assenting to general arbitration treaties, therefore, we must go much further and give much more than any other nation, for the questions which we promise to arbitrate are, in the necessity of things, American questions. Other nations promise to arbitrate American questions, but the whole great range of European and Eastern questions in which they are involved are not affected by any treaty which they make with us. There is therefore reason for much greater care upon our part in making general arbitration treaties than on the part of the European powers, for with us these treaties embrace questions of primary interest to the United States, but only questions of secondary interest to the powers of Europe. Owing to this fact we have in the past been put, again and again, in a position, under an arbitration, where we might easily lose and could by no possibility gain, even if the case was decided wholly and absolutely in our favor. Unfortunately for the cause of arbitration, the decisions of arbitral tribunals have commonly resulted in a diplomatic compromise, and on account of the conditions which I have just set forth we have been at a disadvantage, because any compromise necessarily fell short of our position, whereas with the nations with

whom we joined in arbitration the case was exactly reversed, for they, submitting only American questions, could not lose materially and were tolerably certain to gain something. These two general conditions, inherent in our geographical position and in our uniform and traditional policy, constitute, as I have said, a most important reason for peculiar care on our part in making either special arbitral agreements or general promises of arbitration in future cases. We do not and we can not enter upon these agreements on an equality of risk with the other nations with which we treat. This consideration also disposes of the argument, which I have seen advanced, that we could afford to agree to anything that was set down in a treaty of arbitration, because the nations with which we made it agreed to it and were as much affected by it as we. They are not as much affected by it as we, because the principal interests of the nations of Europe are not involved and never will be involved in any treaty of arbitration which they make with us, whereas with the United States the exact reverse is the case.

Now, assuming constantly that the interpretation of this clause is that which I have given to it, and which I say again most people give to it, let us see where such a promise would lead. There may be, I suppose, persons who are willing to submit the arbitrability of every international question that can possibly arise to the decision of an outside commission made up in whole or in part of the citizens or subjects of foreign nations. To such persons there is of course nothing perilous or objectionable in clause 3 of Article III, as I have interpreted it, but if those who hold this view are consistent they are, according to my thinking, neither patriotic nor prudent. In the present stage of human development they occupy a position which to my mind is extremely dangerous to the peace and welfare of their own country. But the great mass of the people of this country believe that there are certain questions that might arise which they would never consent to submit to the arbitration of any outside tribunal. The President of the United States, in a speech which he made at Rochester soon after the close of the last session, admitted this, saying that of course there were

certain questions which were not arbitrable, and mentioning three at least as coming within this category. From the President down I believe this to be, as I have said, not only the view of the American people, but of every responsible and reflecting public man. Even if a President and Senate thought otherwise there are certain questions which the people of the United States would never permit any President or any Senate to submit to arbitration. Now, under the clause, as I am interpreting it, I know of no question which we should not be bound to arbitrate if the high commission of inquiry decided it to be arbitrable. It is no reply to say that we should have the right to appoint American members of these high commissions and that no American commissioner would ever agree to the arbitration of such questions as I have in mind. Such an assertion is equivalent to declaring that we are to avoid a promise which we are not willing to fulfill by packing the tribunal to which its arbitrability is submitted; in other words, that we are to defeat and absolutely disregard the entire purpose of these provisions for a high commission of inquiry, which are taken bodily from The Hague convention, and to which clause 3 of Article III is an appendage unknown to The Hague agreement. We can not afford to make a promise which we know in certain cases we should not keep and then deliberately propose to escape from our promise by packing the tribunal to which we have agreed to submit the question. Neither peace nor any other good cause can be advanced by such devious methods as that. If we are to make the promise, as I understand it in that clause, then I say we are morally bound, bound in honor, bound by every obligation of good faith to keep the promise exactly as it is intended. Let me now, as illustrating the dangers to which such a promise would expose us, state a few examples of the perils which I foresee.

Suppose, for example, some great Eastern power should directly or indirectly take possession of a harbor on the west coast of Mexico for the purpose of making it a naval station and a place of arms. I am using no imagination in suggesting such a case. It is not very long since an indirect movement was

begun, and it is apparently still on foot, to obtain possession for a foreign power of Magdalena Bay, so I may fairly suppose that such a case might arise. If it did, we should immediately intervene. We should declare that this was a violation of our constant policy known as the Monroe doctrine. The nation seeking the station on the coast of Mexico would then say, "Very well, let us take this to arbitration." We could not help ourselves, for under the terms of the treaty either party to a dispute can bring the other before the high commission of inquiry, and the Monroe doctrine would then be submitted to them by us as a bar to the arbitrability of the question.

The Monroe doctrine in general terms would not and could not as an abstract proposition come before the commission, but it would appear there inevitably as incidental to the taking of the harbor on the west coast of Mexico as proposed by the foreign power. A year may, and in practice would certainly, elapse before the matter would be taken up by the commission, and during that time the foreign power would go on strengthening its hold upon the position which it had taken. Then comes the investigation of the commission. Under the general principles of international law the foreign power would have a perfect right to secure that land by purchase or treaty. The only bar that we could plead to their doing so would be that the action of the foreign power threatened our safety and violated our settled policy; that is, the Monroe doctrine. What chance do you think the Monroe doctrine would have before a commission made up in part of persons not Americans? The Monroe doctrine is not international law. It is the policy of the United States, declared after ample consideration as essential to its safety, and the strength of the doctrine is exactly that of the power of the United States and of its Navy. Suppose the commission decided it was an arbitrable question. Do you think the American people would arbitrate it? I do not, and I do not think it ought to be arbitrated. We should decline to arbitrate it, and the treaty would be disregarded, with all the unpleasant consequences which a disregard of treaty obligations always involves.

Take another example. The Galapagos Islands lie not far from the western mouth of the canal. They belong to Ecuador. Let us suppose what has happened in the past on more than one occasion, and even before the building of the canal was contemplated, that some western or eastern power was reported as intending to buy those islands. This again is not an imaginary case. Inquiries have been made of Ecuador, as I have said, on more than one occasion whether she contemplated the sale of those islands, and she was told politely and diplomatically that if those islands, were to be sold there was only one purchaser in the world. Suppose, I say, they should now be offered for sale and some western or eastern power should try to buy them. Again we should intervene and we should find ourselves discussing before an arbitral tribunal whether those islands, essential to the safety of the canal, could be sold to some foreign power in flagrant violation of the Monroe doctrine.

Pass to the other mouth of the canal. Look on the map. You will find a very important island there called Curacao. It belongs to Holland, which is entirely satisfactory to us. Suppose that in the chances and changes of European politics that island should pass into the control of a great military power. Do you think we should submit that question to arbitration, no matter what we promised? I do not think we should. I think the promise would be broken. I do not think the American people, who have paid for and built the canal, propose to have it endangered by the presence of any new neighbors at either end.

Take the question of immigration—Chinese or, if you prefer, Asiatic. We now have a treaty of general arbitration with China and could hardly refuse to make another along the new lines. The question of immigration in that case and in others might be a question arising under a treaty, and nothing is more arbitrable than the interpretation of treaties, or it might be merely a general question as to how far our general treaties permitted us to pass exclusion or restriction laws in regard to immigrants. I see no way to prevent such a question under this treaty being brought before an arbitral tribunal if the high

commission of inquiry should decide it to be arbitrable. I do not believe the American people would ever permit such a question to be arbitrated. I do not think it ever would be arbitrated by the people of the United States, and any promise that we would arbitrate it would be broken in an instant.

Take the question of the southern bonds. I do not think that question ought to go to arbitration. My friend the Senator from Mississippi thinks it could not be taken to arbitration because the claim concerns the debts of States. It seems to me, if he will permit me to say so, that that is a question of the merits and does not touch the question of jurisdiction. The question first to be decided is the question of jurisdiction, and what is to prevent any country from asking that these pecuniary claims should go before a high commission of inquiry to decide whether they are arbitrable? We could not prevent their going there by saying anything about the States. One party to the controversy can take the question before the high commission, and there the question of the arbitrability of those bonds would be decided. Then, if you please, the argument that they are State obligations could be advanced upon the merits of the case, but it seems to me to be forgotten by those who lightly dismiss this question that foreign nations do not recognize and can not recognize a State of the Union. The only authority that a foreign power can recognize in this instance is the United States. In our foreign policy the States under the Constitution have no existence. As a general proposition, what is there more proper for arbitration than a pecuniary claim? If we can not arbitrate pecuniary claims, what can we arbitrate? These particular claims are based on bonds signed and sealed with the seals of the several States. Owing to the circumstances under which those debts were contracted, we believe that they were in very large measure, if not entirely, fraudulent. We separate them and take them out from the ordinary class of pecuniary claims. Our reasons for doing so are well known to us and rest on the broad grounds of justice and right, but the world neither knows nor understands our reasons. Whatever the decision of the high commission might be on this question, I for one do not

believe in ever permitting the question of these bonds to go before any outside tribunal. They are our own concern. I do not believe that they should be even discussed before a board composed in whole or in part of foreigners, and you can not prevent their being brought there if you assent to this treaty without any modification of clause 3.

Are you ready to submit to arbitration the question of the right of expatriation which we have supported, insisted upon, and enforced for more than fifty years? Will you arbitrate with Russia the question of her right to discriminate against certain classes of American citizens on the ground of race and religion, as we discriminate against certain immigrants on the grounds of crime and disease? I am not willing to submit those questions to arbitration, and I will not promise to do so. It is easy to show that there are other questions not properly arbitrable which might be brought before this commission. The tolls to be charged by us in the Panama Canal, which we have built at our own expense, might be brought before a tribunal, in whole or in part composed of foreigners, to be fixed and determined by them. Worse than this, our title to our own canal might be called in question. Three successive Secretaries of State have refused, and properly refused, to submit our title to the canal to arbitration, and now under clause 3 of Article III, as I interpret it, we might be forced to submit that title to The Hague court or some outside tribunal. The men who rejected the Hay-Herran treaty because they hoped to extort more than ten millions from us for their own use and behoof are even now struggling, through assistants in this country who mean to share the spoil, to secure by arbitration what they failed to obtain by blackmail and could not seize by violence. Our title to the canal or to our territory anywhere is not to be dragged before any arbitral tribunal for examination and determination, and nothing should be subscribed to by us which by any twisting could be construed into a promise that we would submit such a question to any judgment but our own. I might cite other instances of questions not arbitrable or to be arbi-

trated, but I have said enough to show what might happen under the last clause of Article III.

As it is to-day those questions to which I have alluded are peacefully at rest. There is not a nation on earth that would for one moment think of raising those questions with the United States: but if clause 3 is ratified and is given the interpretation which I put upon it—and the final decision as to the interpretation will rest with the high commission itself—we shall find all these questions starting into life. We are tempting, we are inviting, other nations to raise these perilous and vital questions, which now slumber peacefully in a sleep which should know no waking. If they were raised, they would come in such form, some of them, that this treaty would be blown to the winds and be as if it had never been. That is the danger which I apprehend, and I apprehend it not because I fear for the United States, not because I am alarmed lest the Monroe doctrine be overturned and our immigration laws interfered with, for neither this nor any other treaty will be permitted to destroy the safeguards which certain policies throw around the United States. I fear it because I am the friend of peace, and, in my opinion, no greater disaster could befall the cause of peace than to make a promise in a treaty designed to promote peace which we know when we make it will not be kept in certain contingencies. Nothing could do more harm to the cause we all have at heart than such an outcome as this. When we make a general promise of arbitration we must make nothing more and nothing less than a promise which we intend to fulfill to the very letter of the agreement. There is no other way in which peace or any other great cause can be advanced. The cause of peace can not be promoted by eloquent allusions to plowshares, pruning hooks, and olive branches, still less by pretense or by cloudy or furtive devices. I will go just as far as I can in promoting peace, but I will not retard the cause of peace by promising on paper what I know can not be performed in action.

Outlook. 98: 97-8. May 20, 1911.

Arbitration Treaty with Great Britain.

Theodore Roosevelt.

Covenants for arbitration, that is, arbitration treaties, between nations must, until some form of effective international police force is devised, depend for their value mainly upon the degree of civilization achieved by the contracting powers.

Between Great Britain and the United States it is now safe to have a universal arbitration treaty, because the experience of ninety-six years has shown that the two nations have achieved that point of civilization where each can be trusted not to do to the other any one of the offenses which ought to preclude any self-respecting nation from appealing to arbitration. But no language should be used in the treaty which would tend to obscure this cardinal fact, this cardinal reason why the treaty is possible and desirable. Among private individuals the man who, if his wife is assaulted and has her face slapped, will go to law about it, instead of forthwith punishing the offender, would be regarded with derision. The reason why, in moderately civilized comunities, it is not necessary to say that a man reserves to himself the right to assault any one who in his presence slaps his wife's face is the simple fact that in no such community is it now possible to imagine such action occurring. But to require any public official, or private citizen who takes an oath to obey the laws of the land, to include in that oath the specific statement that if his wife's face were slapped he would not do anything other than bring suit, would be rather worse than an absurdity. In just the same way, the United States ought never specifically to bind itself to arbitrate questions respecting its honor, independence, and integrity. Either it should be tacitly understood that the contracting powers no more agree to surrender their rights on such vital matters than a man in civil life agrees to surrender the right of self-defense; or else it should be explicitly stated that, because of the fact that it is now impossible

for either party to take any action infringing the honor, independence, and integrity of the other, we are willing to arbitrate all questions.

Hypocrisy never pays, in the long run. Even if the indifference of the majority of the Nation should permit a specific agreement to be made to arbitrate such vital questions, that same majority would promptly (and quite properly) repudiate the agreement the moment that it became necessary to enforce it. No self-respecting nation, no nation worth calling a nation, would ever in actual practice consent to surrender its rights in such matters. Take this very case of the agreement between Great Britain and ourselves. Thank Heaven! it is now impossible—and I use the word literally—that there shall ever be war between the English-speaking peoples. The events of the last ninety-six years have shown this to be the fact, and year by year the feeling between them has grown better and the determination to settle every dispute by amicable and honorable agreement based on mutual respect and consideration has become more fixed. But this is because of the attitude adopted by both during the ninety-six years. Go back a little over a century and conditions are wholly different. If Great Britain now started to exercise the right of search as she exercised it a hundred years ago, with its incidents of killing peaceful fishermen within the limits of New York Harbor, of kidnapping sailors by violence on the high seas, of ruining merchants through no fault of their own, of firing on American men-of-war and killing men aboard them—why! if any such incident occurred at present, this country would fight at the drop of the hat, and any man who proposed to arbitrate such a matter would be tossed contemptuously out of the popular path. The reason we can now afford to have a general arbitration treaty is that such incidents are no longer possible. As long as they were possible, an arbitration treaty would have been impossible, because they were matters which no self-respecting nation would arbitrate. This is a fact which can be tacitly ignored only as long as it is tacitly accepted. Any language which specifically attempted to deny its existence would be thoroughly unfortu-

nate, because it would mean either that this Nation was taking an ignoble position because it had an ignoble spirit, or else that it was hypocritical, pretending to enter into an obligation which in actual practice, if the strain came, it would not for one moment carry out.

As regards Great Britain, the matter is academic, simply because there is no possibility in actual fact of the occasion arising which would make it necessary to try to carry out the unwise obligation. But we should be very cautious of entering into a treaty with any nation, however closely knit to us, the form of which it would be impossible to follow in making treaties with other great civilized and friendly nations. For instance, at this very time Mexico has been engaged for some months in civil war, one of the incidents of which has been the repeated military invasion of our territory. Again and again armed bodies of Mexican troops have fired across the boundary and killed or wounded American citizens. In this case we have chosen to submit to such invasions, as is our right and privilege if we so desire. But it would be absolutely intolerable to bind ourselves to arbitrate the questions raised by such invasions. If, for instance, instead of its being Mexican troops firing into our inland towns and killing our citizens, it happened to be an English or a German or a Japanese fleet which, not once but again and again, fired into our coast towns, killing and wounding citizens, this Nation would immediately demand, not arbitration, but either atonement or war. In the same way, if a dispute arose between us and another nation as to whether we should receive enormous masses of immigrants whom we did not desire from that nation, no one who knows anything of the temper of the American people would dream that they would for one moment consent to arbitrate the matter. In such a case we should say that our honor, our independence, our integrity, and our very National existence were involved, and that we could not submit such a question to arbitration.

Outlook. 99: 66-70. September 9, 1911.

Peace of Righteousness. Theodore Roosevelt.

It is one of our prime duties as a Nation to seek peace. It is an even higher duty to seek righteousness. It is also our duty not to indulge in shams, not to make believe we are getting peace by some patent contrivance which sensible men ought to know cannot work in practice, and which if we sought to make it work might cause irretrievable harm. I sincerely believe in the principle of arbitration; I believe in applying that principle so far as practicable; but I believe that the effort to apply it where it is not practicable cannot do good and may do serious harm. Confused thinking and a willingness to substitute words for thought, even though inspired by an entirely amiable sentimentality, do not tend toward sound action. I think that the great majority of those persons who advocate any and every treaty which is called a treaty for peace or for arbitration would be less often drawn into a position that tends to humiliate their country if they would take the trouble to formulate clearly and definitely just what it is that they desire. Of course there are persons wholly indifferent to the National honor and interest, who, in consequence, cannot be reached by an appeal to National honor and interest; and there are other persons whose ingrained personal timidity is such that they are more afraid of war than of any dishonor, personal or national. Such persons cannot be influenced by argument. But I do not believe that they make a very numerous class, and I have no question whatever that most of the men who, as I think mistakenly, advocate *all* peace and arbitration treaties, have the same standards of honor, national and individual, and the same intelligence, as their fellow-countrymen who disagree with them. I believe that the trouble comes from the fact that they do not clearly formulate what it is they wish. This, therefore, is the first thing to do.

We, the American people, believe, and ought to believe, in righteousness first, and in peace as the handmaid of righteousness. We abhor brutality and wrong doing, whether exhibited

by nations or by individuals. We hold that the same law of righteousness should obtain between nation and nation as between man and man. I, for one, would rather cut off my hand than see the United States adopt the attitude either of cringing before great and powerful nations who wish to wrong us, or of bullying small and weak nations who have done us no wrong. The American people desire to do justice and to act with frank generosity toward all the other nations of mankind; but I err greatly in my judgment of my countrymen if they are willing to submit to wrong and injustice. Again and again in the past they have shown, and rightly shown, that when the choice lay between righteousness and peace they chose righteousness, just exactly as they also chose righteousness when the choice lay between righteousness and war. In 1776 Washington and his associates scorned the advice of the peace party and went to war for the freedom of our people. In 1861 Abraham Lincoln and his associates scorned the advice and importunity of the peace people, heedless whether these peace people gave the advice they did give because of timidity or because of a twisted sentimentality. They plunged this country into the most terrible struggle the world had seen since the close of the Napoleonic wars; and thereby they perpetuated the Union and abolished slavery and rendered inestimable services to mankind. In 1898 this country disregarded the cries of the peace people and of those who responded to the throb of the money nerve, and warred with Spain. During the immediately preceding years of international peace, over a million lives of men, women, and children had been sacrificed in Cuba, because here at home the peace people had their way and America did not interfere. Then America did interfere, and, at the cost of considerably less than three thousand lives, all told, permanently stopped the dreadful system of destruction which was gradually reducing Cuba to the level of Hayti. If we had not interfered, probably at least a couple of million more lives would have been lost while good persons prattled of peace and arbitration. By the loss of each thousand lives we averted a million deaths; and the lives lost were all of men, and the deaths averted would have been largely those of women and

children. As in 1776 and 1861, so in 1898 we put righteousness above peace; and therefore we obtained both, while if we had shirked our duty we should ultimately have lost both. Cuba and Porto Rico and Panama have enjoyed peace and prosperity, the Panama Canal is being dug, and the Philippines are progressing as never before, because in 1898 we refused to listen to the timid and short-sighted apostles of ease and of slothful avoidance of duty, and dared to play the part of the just man armed.

General arbitration treaties under the best circumstances can only be promises; they appeal especially to sentimentalists, who are never safe advisers, and their importance is usually exaggerated to a ludicrous degree; the really important thing is the practical application of the principle to specific instances. The successful application of the principle of arbitration to the controversy between ourselves and Great Britain, settled at The Hague in the summer of 1910, was of high consequence; and Mr. Root, our special representative, rendered a real and great service to the country by what he then advised before the Hague court, at the cost of many weary, arduous months. This disinterested, unpaid, and most laborious and important service, the peace advocates, and our people generally, never properly understood or appreciated, and they never felt properly grateful to the man who rendered it. Such work, which represents the reduction of theory to practice, is more important than the negotiation of any general arbitration treaty, which must always and of necessity represent merely the public announcement of a theory which it is hoped can be reduced to practice.

It is our duty, so far as is now possible, so far as human nature in the present-day world will permit, to try to provide peaceful substitutes for war as a method for the settlement of international disputes. But progress in this direction is merely hindered by the folly that believes in putting peace above righteousness; while it is of course even worse to pretend so to believe. The greatest service this Nation can render to righteousness is to behave with scrupulous justice to other nations, and yet to keep ready to hold its own if necessary. Our chief

usefulness to humanity rests on our combining power with high purpose. Power undirected by high purpose spells calamity; and high purpose by itself is utterly useless if the power to put it into effect is lacking. In the history of our country the peace advocates who treat peace as more than righteousness will never be, and never have been, of service, either to it or to mankind. The true lovers of peace, the men who have really helped onward the movement for peace, have been those who followed, even though afar off, in the footsteps of Washington and Lincoln, and stood for righteousness as the supreme end of National life. Only by acting on these principles, only by following in the footsteps of these great Americans of the past, can we of the present generation effectively work for and secure the peace of righteousness.

North American Review. 179: 659-70. November, 1904.

International Arbitration. Sir Robert Finlay.

In truth, no International Authority with power to enforce the decrees of the tribunal of arbitration is either necessary or desirable. The list of international arbitrations during the nineteenth century is a very long one; and yet there is hardly a single case in which there has been any difficulty as to compliance with the award. In the Alabama Arbitration, a sum was awarded to the United States so enormous that it is reported that to the present day the American Government has not been able to find claimants for all of it. Sir Alexander Cockburn, the distinguished representative of Great Britain upon the Geneva Tribunal, dissented in the strongest terms from that award. But Great Britain never dreamt of refusing to comply with it. The enforcement of awards may safely be left to the good faith of the parties, and the honor of nations. There is no necessity for any International Sheriff's Officer.

Submission to arbitration must rest upon the free consent of the nations concerned. The establishment of an International Tribunal before which any State might sue another, would be

a measure of very doubtful utility. Litigation of this sort between nations would probably cause more friction than it would prevent. As between individuals, there must be power to take one another to law: but the process, however necessary, is not one which is usually found to conduce to friendly feeling between the litigants. A compulsory tribunal, before which any nation might be haled by any other to answer claims which it might consider unfounded and frivolous, would, indeed, be a dangerous experiment. But a tribunal whose jurisdiction rests entirely upon consent stands on a different footing altogether, and experience has shown that nations which meet in the amicable contest of voluntary arbitration are all the better friends for it.

But, beneficial as is the rôle of Arbitration, there are some questions which no country will consent to leave to the judgment of any Court or any arbitrator. Every nation must be the guardian of its own honor. Every nation must decide for itself questions vitally affecting its independence or its essential interests. Some stakes are too big for arbitration. Some issues are too tremendous to be submitted to any but the dread ordeal of battle. It has been said that there hardly ever was a good war, and hardly ever a bad peace. But there are sometimes greater evils than war. There are some conclusions to which no nation ought to submit until everything has been staked and lost.

The United States are a Federation of a peculiarly intimate type, and have always possessed, in their magnificent institution of the Supreme Court, a tribunal, described by John Stuart Mill as international, for the decision of questions arising between the different States. Yet, when the great question of the rights of these States as against the Central Government arose, it could be settled only by the gigantic War of the Secession. In the sublime language of Bacon, "Wars are suits of appeal to the tribunal of God's Justice, where there are no superiors on earth to determine the case."

Fortnightly Review. 92: 119-32. December, 1912.

Great Delusion. Archibald Hurd.

It is a Danish proverb that "To God's council chamber we have no key." In spite of all the factors which we have been told, with tireless reiteration, make for peace, wars occur not less persistently in the twentieth century than they did in the past, when they were regarded as normal incidents in the evolution of nations.

To-day in the Balkan peninsula over a million men "with clenched teeth and hell-fire eyes" are "hacking one another's flesh, converting precious living bodies with priceless living souls into nameless putrescence." On the perimiter of war other great armies stand at attention, ready instantly to fling themselves into the turmoil if national honour or national ambition demands action.

Down to the very date when this struggle opened we were told that the millenium was at hand. Men had become political economists: war did not pay either victor or vanquished, and, therefore, battles might be regarded as things of the past. There were a hundred and one bloodless reasons why war should be no more, and yet war is in our midst. In spite of all the factors of a political and economic character which it was asserted made peace inevitable, Montenegro brushed aside all the fine spun theories of the pacifists, and, regarding not the frowns of the foreign ministers of the great powers flung her army across the Turkish frontier. Within a few days Bulgaria, Servia, and Greece had also invaded Turkish territory, and the impossible had happened—Europe was faced not with the possibility, but with the actuality of war.

The war was still continuing its monotonous course when the Balkan states reached the conclusion that the embarassment of Turkey provided them with a golden chance of driving the Golden crescent out of Europe. The Ottomans apparently believed to the last that the Concert of Europe would screen them. The Allies proved to be right; Turkey proved to be wrong.

Once more the world was given a demonstration of the friendless state of a nation which has neglected to maintain its strength. If Turkey had possessed any considerable measure of naval power, Italy could not have moved a soldier until the Turkish fleet had been defeated, and the probability is that there would have been no war. In the history of every people there comes a boiling point when some sense of wrong or a long-nurtured ambition seeks expression, and then, if the chances of success are thought to be good, and the opponent has neglected his means of defence there is war.

A study of history reveals the fact that of all politicians those who preach retrenchments on British armaments are the most ruinously extravagant in the charges which they throw upon the state. Periodically they capture the ear of the nation, and the votes for the defensive services are cut down, whatever may be the advice of experts and however menacing the preparations of rivals. The result is that as soon as the veriest shadow of war appears, those economists are thrust aside with scant courtesy of the nation and the navy and the army are examined in the light of the navies and armies of other countries, and a panic ensues—and a panic almost invariably means dramatic war grants and wasteful expenditure.

In the lurid light which the war in the Balkans has shed over Europe, in the admission of the growth of foreign fleets, in the knowledge of recent panics which the mere shadow of complications caused on the bourses, and in the recollection of the slender ties by which the equilibrium is maintained in Europe, the economist-pacifist may well remain dumb. Every reason which he has advanced in proof of the improbability of war has been exposed as resting on no foundation. War only becomes inevitable when the guardians of prestige and wealth encourage aggression by the feebleness of their preparations for defending what they hold, and therefore if an Anglo-German war ever occurs it will be because the British navy is too weak to keep the peace.

In political life to-day there is nothing more sordid than the new peace movement which urges the British people to neg-

lect the only means by which their freedom and their bread can be defended, and by which they can continue to throw a protecting arm over the hundreds of millions of kindred peoples and subject races under the British flag. Year after year in the House of Commons working men are urged to economize on the navy and on the army, not because war in hideous and barbaric, and leaves homes desolate and women and children widows and orphans; not because other nations are willing to join in the movement for the limitation of armaments; not because we, in this unmilitary land, have nothing to fear owing to the jealousy of neighbors—nothing to hold which they desire to have—but because by reducing the defensive services a few pieces of silver may be saved to be distributed among forty-five million of people in doles.

North American Review. 193: 641-52. May, 1911.

Armaments and Arbitration. Alfred T. Mahan.

A word may be said upon the onerousness of armaments, so much insisted upon and so present to popular consciousness to-day. Undoubtedly armaments are costly, but the means to bear them have increased to a degree little realized if known at all.

In 1809 Great Britain was at the height of her single-handed struggle against Napoleon. During that year Austria was again crushed at Essling and Wagram. Prussia remained in the utter subjection to France to which Jena, Eylau, and Friedland had reduced her in 1806 and 1807. Russia was the ally of France. The Spanish peninsula was flooded with French armies; a French King ruled in Madrid, another in Holland, while the royal family of Portugal was fugitive in Brazil. The Peninsular War was still in its beginnings, but in full blast. During that year the revenue collected in the United Kingdom was £63,719,400, supplemented by loans to the amount of £12,298,379; total, £76,017,779. The total expenditure was £76,566,013, of which the actual current expenses were £52,352,146; the re-

mainder being interest upon the debt. Of the current expenses the military and naval were £48,210,957. The trade of the kingdom during this year, export and import together, amounted to £91,872,308. Excluding Ireland, the population in 1811, a census year, was 12,596,803.

A hundred years later, in 1909, the revenue collected was £151,578,295. The expenditure was £152,292,395, of which £59,028,000 was for Army and Navy. The trade, export and import, amounted to £1,094,485,426. The population, again excluding Ireland, was 40,634,263. That is, with little more than thrice the population of 1809 there is nearly twelve times the commerce or four times as much per head; and while the total expenditure has doubled, increased by one hundred per cent., that for Army and Navy at this present period of gigantic armaments has increased by less than one-fourth, by less than twenty-five per cent.

It may be urged that the expenditure of 1809 was for actual war, which involves a disproportionate additional outlay over that of armament in peace. True, but this merely means that it costs much less to be ready for war than to go to war; another way of regarding Washington's maxim that preparation for war is the best assurance of peace. The thing to be observed is, that with an increase of nearly three hundred per cent. of trade in proportion to population there is only twenty-five per cent. increase in military expenditure. The increase of revenue collected approached one hundred and fifty per cent. in 1909, and has since exceeded that mark.

These considerations are not advanced in order to contest that armament is a burden. They show only that the burden is not unbearable in itself, because it is very much less than has been borne.

Quarterly Review. 216: 224-47. January, 1912.

Growth of Expenditure on Armaments. Paul Cramnond.

The beginning of this universal movement in favour of the acquisition of naval armaments, which has such a disturbing ef-

fect on international politics during the past ten years, may be ascribed in part to the lessons that were taught by the Spanish American war of 1898, the South African war of 1898-1902, and the Russo-Japanese war of 1904-5. These conflicts established in the most convincing manner the vital importance of preparedness for war, and not less the supreme importance of sea-power. There are no doubt, a great many intensely patriotic people in this country who sincerely believe that armaments are the cause of war; but contemporary history proves conclusively that unpreparedness for war does not ensure peace. Neither Spain nor America was ready for war in 1898; but that did not prevent the outbreak of hostilitites. Great Britain was utterly unprepared for war in South Africa in 1899, but that circumstance did not make for peace; on the contrary, there is every reason to believe that it precipitated, as it certainly prolonged the conflict. By the beginning of 1904, the Japanese preparations for war were completed, but Russia was ill prepared as well as badly informed. Japan, however, might have hesitated to enter upon the war with Russia, had the latter country taken care to perfect armaments on an adequate scale. The unreadiness of Austria in 1866 did not save her from Prussia; while it is practically certain that the unpreparedness of France in 1870 and the completeness of the Prussian armaments induced Bismark, Moltke and Von Roon to precipitate hostilities. The present conflict between Italy and Turkey affords another illustration of the same point. Whatever may be the outcome of the operations on land, this war has proved once again the imperative necessity of naval armaments, wherever either party in a conflict has to cross the sea. The rulers and statesmen of the great world powers are now convinced that, in order to avoid war, it is necessary to be fully prepared for war both on land and sea. There has been imminent danger of the outbreak of a great European war on at least four occasions within the past fifteen years; but the magnitude of modern armaments, the vast cost of war under existing economic conditions, and the disastrous consequences of failure, have exercised a moderating influence upon the war

policies of the principal powers to an extent which it would be difficult to exaggerate.

National expenditure must, like individual expenditure, be judged in relation to the wealth and income of the spender; and in the general consideration of this question there has been an almost universal disposition to ignore or overlook the vast growth of wealth that has attended and rendered possible the expansion of outlay upon national defence without placing an impossible burden upon the shoulders of the taxpayers. In the early years of the nineteenth century, when the national wealth was less than one fifth of its present amount, the expenditure on the army and navy was running at the rate of 41,000,000 pounds per annum over a long period of years, as compared with the present expenditure of 72,000,000 pounds. While our expenditure on armaments has increased during the past century by 75 per cent, or, in comparison with the peace expenditure of 1817 (15,000,000 pounds), by 380 per cent, our population has increased by 26,000,000 or 135 per cent; our foreign trade has expanded from 63,000,000 pounds to 1,212,000,000 pounds or 1800 per cent; and the national income has grown from 200,000,000 pounds to 2,000,000,000 pounds or 900 per cent.

In the broad consideration of this question it must be remembered that it is the duty of the British navy to protect not only the trade and shipping of the United Kingdom, but those of remote parts of the Empire as well; and a further strong justification for the growth of expenditure on the British navy is to be found in the expansion of finance, commerce and shipping of the Empire.

Reader. 10: 339-43. September, 1907.

Why the Nations Cannot Disarm. Amos S. Hershey.

Total disarmament is, of course, wholly out of the question at the present stage of our imperfect civilization. For a great nation to cast aside its weapons under existing cir-

cumstances would require a degree and kind of courage bordering on heroism and madness.

To find preventives of war we must first inquire into its causes. These are difficult to determine. They have their origin in the passions, appetites and ambitions of mankind and in the conditions of life (social, economic and political) under which man struggles for existence and the means of enjoyment. Until human nature is changed and social conditions are materially improved, or until there is established a more perfect equilibrium between human wants and the means by which these may be satisfied, neither war nor poverty can be eradicated.

Modern wars seem to be due mainly to seven causes: 1. The desire for commercial and colonial expansion. (Examples: The recent struggle in the Far East between Japan and Russia for the control of Manchuria and Korea, and most of the petty wars which Great Britain has waged in Asia and Africa during the past century.) 2. The desire to secure or maintain political or racial supremacy in certain quarters of the globe. (Examples: The Spanish-American war on the part of Spain, and the British-Boer war in South Africa.) 3. Motives of humanity mixed with considerations of political and commercial interest. (Examples: The Spanish-American war of 1898 on the part of the United States, and the Russo-Turkish war of 1877 on the part of Russia.) 4. The desire for the realization of a more perfect nationality. (Examples: The Franco-German war of 1870 and the Prusso-Austrian war in 1866 for the unification of Germany, and the French-Italian war of 1859 against Austria for the union of Italy.) 5. Wars of conquest or aggression. (Examples: Most of the wars of the revolutionary and Napoleonic period between 1792 and 1815 on the part of France, and the war of the United States against Mexico in 1846.) 6. The suppression of revolutionary and democratic movements. (Examples: The invasion of Spain by France in 1823, and the suppression of the Hungarian revolt by Russia and Austria in 1849.) 7. Wars of self-preservation. (Examples: The British-Boer war of 1900 on the part of the Boers, and the Russo-Japanese war on the part of Japan.)

It may be noted that several prolific causes of war have almost ceased to operate in modern times. Religious wars have almost disappeared from the pages of European history, and for nearly a century there have been no wars in Europe for the sake of dynastic interests or to maintain the balance of power. For the latter there has been substituted a system of alliances and the Concert of Europe—a development which has given to international relations a much firmer basis.

On the other hand, we have several new causes of war or sources of international friction which can scarcely be said to have operated on a large scale before the nineteenth century. The remarkable development of the twin ideas of democracy and nationality have brought into existence new and mighty forces which may ultimately insure peace, but which nevertheless increase the possibility of armed conflicts between modern nations.

Commerce, like democracy, is Janus-like, facing both ways. Although it is believed that modern industrial conditions make for peace, many so-called political wars have really been commercial wars in disguise, and the present struggle for economic supremacy has given rise to a new doctrine of commercial imperialism which is a serious menace to the peace of the world.

Among the factors which make for the preservation of peace must be reckoned the present system of armaments in Europe. Like the *pax Romana*, it is, in fact, an "armed peace." Although the Czar's rescript of 1898 declares that these armaments have failed to bring about the "desired pacification," it can not be denied that Europe has during the past thirty-seven years enjoyed a larger immunity from actual warfare than at any previous period in her history.

Nineteenth Century. 60: 44-8. July, 1906.

Disarmament. Erroll.

The question of disarmament, or rather of the reduction of armaments on a mutual understanding between the Powers of Europe, appeals alike to the economist and the humanitarian.

To the former it presents an opportunity for alleviating those burdens which press so heavily on the industry and consequent prosperity of the people, and to the latter it opens up a prospect of the fulfilment of cherished ideals in the Brotherhood of Nations and an era of perpetual peace. That these ideals are within the bounds of attainment in the near future is a dream to which the visionary clings with a fondness which does more credit to his heart than to his understanding. Fortunately, it does not appeal in like manner to the man of affairs and the practical politician of the day. It is a dream with which we can all sympathise, while recognising that the Golden Age is not yet, and that great changes in the hearts of men and nations are essential ere its fulfilment can hope to be accomplished.

It is a dream which entirely ignores the general level of selfishness and suspicion animating the actions of the greater portion of mankind, a selfishness due in part to an instinctive feeling of self-preservation, and a suspicion due to a want of faith in the disinterestedness of others. That these feelings are strong and not unjustified by experience are factors which these benevolent persons are prone to ignore. For example let us take our own case, and let us remember, in the first place, that we do not always see ourselves as others see us. We are accustomed to declaim with perhaps somewhat unctuous rectitude that aggression has no place in our political aspirations, and no doubt we honestly entertain this opinion of our own disinterestedness. Yet, can we in face of our actions in the past feel surprised at the polite but incredulous smile which illumines the countenance of our neighbours when we insist, just a little too loudly, on the innocency of our intentions? For instance, our occupation of Egypt has no doubt been a boon to that country as well as an advantage to ourselves, yet when we remember our protestations in first taking over its administration, to the effect that we merely intended to remain there until the country could stand alone, can we wonder that its permanent occupation (for that is what it practically comes to) may give rise to a suspicion in the minds of foreigners as to the purity of our motives in other directions?

Again, there are those who view our action in South Africa and Tibet with some doubt as to our peaceful intentions, and, looked at from the point of view of the many square miles we have added to the Empire during the last few years, it would be idle to deny that they have some ground for their suspicions.

Again, looking at our comparative naval strength, foreigners cannot divest themselves of the idea that it must be maintained for aggressive purposes, and that it might well be reduced without danger to ourselves. This feeling is due to a totally wrong understanding of the problem as it presents itself to us. It ignores the gigantic commerce which we have to protect, and the lines of communications we shall be bound to maintain in time of war. These alone supply ample justification for our determination to maintain our present relative measure of superiority. The loss of the command of the sea, which would merely be an incident to other countries, as was the loss of their fleet to the Russians, would be ruin to us, and I can conceive no question of economy or sentiment which would justify our rulers in jeopardising our position by any scheme which took from us our freedom as to the means we should adopt to ensure the security of the Empire. We alone must be the judges of what is necessary, and must never surrender this right into the hands of others.

Our existence as a World Power must not depend upon the forbearance of others, but on our own individual strength. We are all agreed as to the blessings of peace, but it cannot be too often repeated that the cause of peace is not served by weakness. The misunderstanding with Turkey the other day was not settled by argument or by reason, but simply by the fact that we were strong enough to enforce our demands if the Sultan had proved obdurate. Again, at the time of the Fashoda question, the fact that the French fleet was found to be inferior to ours alone prevented the incident from developing into war. It is no argument to say that on this occasion Might and Right were on the same side. We might have had all the reason and all the justice on our side, but if we hadn't had the power as well, things might have been very different in Central Africa

to-day. The fact is, the existence of the Empire would not be worth a day's purchase if it depended on the goodwill of other countries. This vision of disarmament is a chimera. The Powers no doubt profess themselves theoretically in its favour, at least as far as others are concerned, but directly any practical measures are suggested, they hang back, and with much show of politeness murmur 'Après vous.'

Without being quarrelsome we must be prepared to defend our own. We can never remain a World Power on sufferance. We have too many of the good things of the earth not to be an object of envy to others. If we are weak we are likely to become their victims. The greatest guarantee of peace is not in disarmament, but in the recognition by others that we cannot be attacked without serious risk to themselves. Perhaps it may be an acknowledgment of the failure of a high ideal of Christian civilization that it should be so, yet I am convinced that the old Scottish motto, 'Nemo me impune lacessit,' embodies the surest guarantee of peace in this world of conflicting interests.

It is difficult to participate in the views of those who look forward to the next Hague Conference as the dawn of a new era in the history of the world. We have only to look back to its predecessor, called together by the Emperor of Russia, who within a few months found his country engaged in a deadly struggle with Japan, to recognise the futility of any artificial means of restraining nations from war when they consider their honour or their interest compels them to fight. Then there are the practical difficulties which confront us when we come to the question of enforcing any conditions on which certain Powers may have agreed. The facility of evasion, and the fact that no Power would tolerate the interference in its internal affairs which any system of espionage would entail, would render it quite impossible to carry out the pronouncements of a tribunal however unanimous had been its decisions. The fact is, Man is a quarrelsome animal, and the interests of nations are so antagonistic that a common ground of settlement can seldom be found, and, when found, can as a rule be best settled

by diplomacy, if only its backing is sufficiently strong to make its representations respected.

Arbitration no doubt has done much in the past, and will in the future save many misunderstandings from ripening into war, but it has its limitations, as no nation will consent to a verdict in which its honour or its existence is imperilled. In fact, reservations to this effect are almost invariably inserted by the parties concerned when a case goes to arbitration.

I quite admit that the idea of disarmament is an attractive one, and that all honour is due to those who endeavour to carry it to a practical issue, but I contend that we of all people are not in a position to take the lead, and that if we do we shall get no one to follow. We have too much to lose to allow of our taking any risks or in any way weakening our armour in pursuit of any sentimental or utopian idealism. We have only to call to mind the year of the Great Exhibition in 1851, and remember how it was looked upon as the harbinger of a lasting peace, and that the Crimean War followed close upon its heels: how the Franco-Prussian War of 1870 broke out within a few weeks of Lord Granville's saying there was not a cloud upon the European sky; and how the late Russo-Japanese War was the sequel to the Hague Convention—to realise on how slender a basis any hopes of peace and good will among the nations of Europe have rested in the past, and how often their realisation has been doomed to disappointment. Facts such as these seem to indicate that nations even when actuated by no aggressive spirit should think twice before reducing their armaments—a state of which others may be only too ready to take advantage. The cold manner in which the idea has been received on the Continent only shows how unstable is the balance of power at the present moment, especially in view of the temporary effacement of Russia in consequence of the late war and of her internal troubles, and of the unrest in the Austro-Hungarian Empire, the outcome of which no man can predict.

Of course, if public opinion in some countries succeeded in exercising pressure calculated to reduce their military preparations, others would view such a state of affairs with equani-

mity if not with joy, but at the present moment any mutual reduction is, I believe, outside the area of practical politics. That inexorable law of the survival of the fittest will not fail to work because a few well-meaning individuals venture to question its truth with regard to present-day conditions. Its application is as true to-day as in the most remote ages of internecine war, and, whether it refers to individuals or states, the result is practically the same. We see this struggle going on every day around us in business, in commerce, and in society. The old order changes and gives place to the new. Dives takes the place of Vere de Vere, the co-operative stores kill the small tradesmen, and rings usurp the emoluments of private and individual effort. So, too, with nations who fail to hold their own in the struggle for existence. They drop behind and become second-rate Powers. Eventually they disappear and give way to more virile peoples who have no illusions or doubts that the right to existence has its justification only in the power to force itself into the front rank, and to remain there *vi et armis*.

For instance, our position in India is based primarily on conquest. It was won by the sword, it has been welded together and cemented by the strength of a fighting race, and if that strength were for reasons of economy or sentiment to be reduced below a certain level, our rule would very soon pass to other and stronger hands. So much for the dreamers. Just one word for the economist. In advocating the reduction of armaments for reasons of economy, and in comparing the cost of our Army with that of other countries, the difference between a voluntary army and one raised by conscription must never be lost sight of. The withdrawal of so many men from the pursuits of industry is a tax on the productive capacity of a country which must be taken into consideration when making the comparison, and the advantages which we enjoy through our freedom from compulsory service must be put against the increased cost which such a system entails. In no other way can a balance be fairly struck. Unfortunately, this cannot be put in a tabulated form, and it is therefore difficult to bring home to the elector. If it could, the comparison between our

Army estimates and those of other countries would work out quite differently. In any case it is to be hoped that neither an exaggerated desire for economy nor a sentimental idea as to the near approach of the millennium will induce the country to surrender its present position, or to refrain from taking steps to maintain forces sufficient to meet any increase which other Powers may think it prudent to initiate.

APPENDIX

Cost of Armaments in Time of Peace.*

Cost of Armies and Navies

Country	Fiscal year	Expended for Army	Expended for Navy	Total Military Charge
Austria-Hungary	1913	$115,381,000	$15,176,000	$130,557,000
France	1912	177,656,000	81,693,000	259,349,000
Germany	1912-13	201,003,000	111,964,000	312,967,000
Great Britain	1911-12	134,850,000	216,194,000	351,044,000
Italy	1912-13	83,284,000	41,859,000	125,143,000
Japan	1912-13	47,066,000	46,510,000	93,576,000
Russia	1912	289,911,000	81,960,000	371,871,000
Spain	1912	36,353,000	13,546,000	49,899,000
Turkey	1912-13	39,374,000	5,614,000	44,988,000
United States	1911-12	107,787,000	136,390,000	244,177,000
Totals		$1,232,665,000	$750,906,000	$1,983,571,000

Proportion of Total Military Charge to Total Expenditures

Country	Total Expenditures	Cost of Army and Navy	Per Cent
Austria-Hungary	$933,902,000	$130,557,000	14.0
France	868,106,000	259,349,000	29.9
Germany	686,900,000	312,967,000	45.5
Great Britain	882,853,000	351,044,000	39.7
Italy	507,623,000	125,143,000	24.6
Japan	286,836,000	93,576,000	32.6
Russia	1,411,281,000	371,871,000	26.3
Spain	217,774,000	49,899,000	22.9
United States	901,298,000	244,177,000	27.1
Totals	$6,696,573,000	$1,938,583,000	28.9

*From "The Drain of Armaments." Arthur W. Allen.

Growth of Military Expenditures, 1881-1911.

Country	1881.	1891.	1901.	1911.	Excess 1911 over 1881.	Estimated Total for Thirty Years
Austria-Hungary	$66,182,000	$64,317,000	$68,424,000	$87,244,000	$21,062,000	$2,094,540,000
France	156,154,000	185,448,000	204,580,000	270,918,000	114,764,000	6,035,640,000
Germany	102,509,000	144,434,000	205,783,000	318,446,000	215,937,000	5,606,945,000
Great Britain	126,256,000	157,575,000	445,115,000	341,820,000	215,564,000	6,367,280,000
Italy	49,455,000	80,777,000	78,709,000	120,676,000	71,221,000	2,445,515,000
Russia	103,881,000	145,206,000	208,811,000	319,770,000	215,889,000	5,658,425,000
United States	51,654,000	66,589,000	190,728,000	283,086,000	231,432,000	3,996,870,000
Totals	$656,091,000	$844,346,000	$1,402,150,000	$1,741,960,000	$1,085,869,000	$32,205,215,000

Wars and their Cost.*

Dates	Countries engaged	Cost	Loss of Life	Armies in the Field
1793-1815	England and France	$6,250,000,000	1,900,000	3,000,000
1812-1815	France and Russia	450,625,000		1,500,000
1828	Russia and Turkey	100,000,000	120,000	
1830-1840	Spain and Portugal (civil war)	250,000,000	160,000	300,000
1830-1847	France and Algeria	190,000,000	110,000	150,000
1848	Revolts in Europe	50,000,000	60,000	
1845	United States and Mexico		10,000	90,100
1854-1856	England	371,000,000	609,797	1,460,500
	France	332,000,000		
	Sardinia and Turkey	128,000,000		
	Austria	68,600,000		
	Russia	800,000,000		
1859	France	75,000,000	24,000	128,000
	Austria	127,000,000		200,000
	Italy	51,000,000		50,000
1861-1865	The rebellion	5,000,000,000	294,400 200,000	2,041,600 750,000
1864	Denmark, Prussia, and Austria	36,000,000		
1866	Prussia and Austria	330,000,000	57,000	639,000
1864-1870	Brazil, Argentine, and Paraguay	240,000,000	330,000	
1865-1866	France and Mexico	65,000,000	65,000	100,000
1870-1871	Germany	954,400,006	311,000	1,713,000
	France	1,580,000,000		
1876-1877	Turkey	403,273,745	180,000	1,500,000
	Russia	806,547,489		
1898	Spain and the U. S.	1,165,000,000	20,000	300,000
1900-1901	Transvaal Republic and England	1,000,100,000	91,000	400,000
1904-1905	Russia and Japan	2,500,000,000	555,900	2,500,000
Expense of wars, 1793-1860				$9,243,225,000
Expense of wars, 1861-1910				14,080,321,240
Total				$23,323,546,240
Loss of life, military service				5,098,097
Armies in the field				16,822,200

*From Report of the Massachusetts commission on the Cost of Living.

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